



DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO
ATTENTION OF:

June 22, 2011

Operations Division

SUBJECT: Preliminary Jurisdictional Determination, MVK-2003-568,
Proposed Interstate 69 Corridor, Section of Independent Utility
No. 14, Louisiana and Arkansas

Mr. Kent Dussom, P.E.
URS Corporation
Suite 900
3500 North Causeway Boulevard
Metairie, Louisiana 70002-3527

Dear Mr. Dussom:

I refer to your request for a preliminary jurisdictional determination regarding the currently proposed Interstate 69 corridor. The proposed work is located in Columbia and Union Counties, Arkansas and Bossier, Claiborne, and Webster Parishes, Louisiana.

Based upon the information that was provided by your office, including additional information obtained from a field investigation, we have determined that there are jurisdictional areas within the project boundary subject to regulation pursuant to Section 404 of the Clean Water Act. The approximate extent of waters of the United States, including wetlands, within the boundary of the property described through the aforementioned correspondence is depicted on the enclosed maps (enclosure 1). Please note that this determination is preliminary and does not constitute an approved jurisdictional determination. For your information, I am including a copy of our appeals form (enclosure 2).

Since the proposed activity appears to involve the discharge of dredged and/or fill material (land clearing, ditching, filling, leveeing, etc.) into jurisdictional waters, a Department of the Army Section 404 permit is required. Your request for preferred alternative concurrence, associated with the subject corridor, is currently being assessed by our Evaluation Section.

Please be advised that an updated delineation of wetlands and other waters should be completed prior to the initiation of the permitting process. This updated delineation is necessary in order to better define the physical extent and characteristics of jurisdictional waters present within the project boundary. Prior to initiating this delineation, please schedule a meeting with the Corps of Engineers to determine the information and data format that is needed to expedite the jurisdictional review process.

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PG1

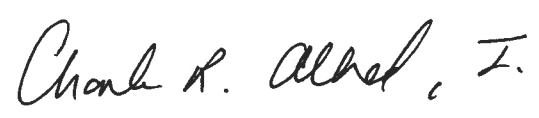
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P52

The Vicksburg District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>. If it is more convenient for you, please complete and return the enclosed postage-paid post card (enclosure 3).

I am furnishing a copy of this letter to Mr. Randall Looney, Arkansas Division, Federal Highway Administration, 700 West Capitol Avenue, Room 3130, Little Rock, Arkansas 72201 and Mr. Robert Mahoney, Louisiana Division, Federal Highway Administration, 5304 Flanders Drive, Suite A, Baton Rouge, Louisiana 70808.

If we may be of any further assistance in this matter, please contact Mr. David Carraway of this office, telephone (601) 631-5591, fax (601) 631-5459, or e-mail address: regulatory@usace.army.mil.

Sincerely,



Charles R. Allred, Jr.
Chief, Enforcement Section
Regulatory Branch

Enclosures

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: Federal Highway Administration		File Number: MVK-2003-568	Date: 06/22/2011
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/cecw/pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

Enclosure 2

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: David W. Carraway
Environmental Specialist
USACE – Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
(601) 631-5591

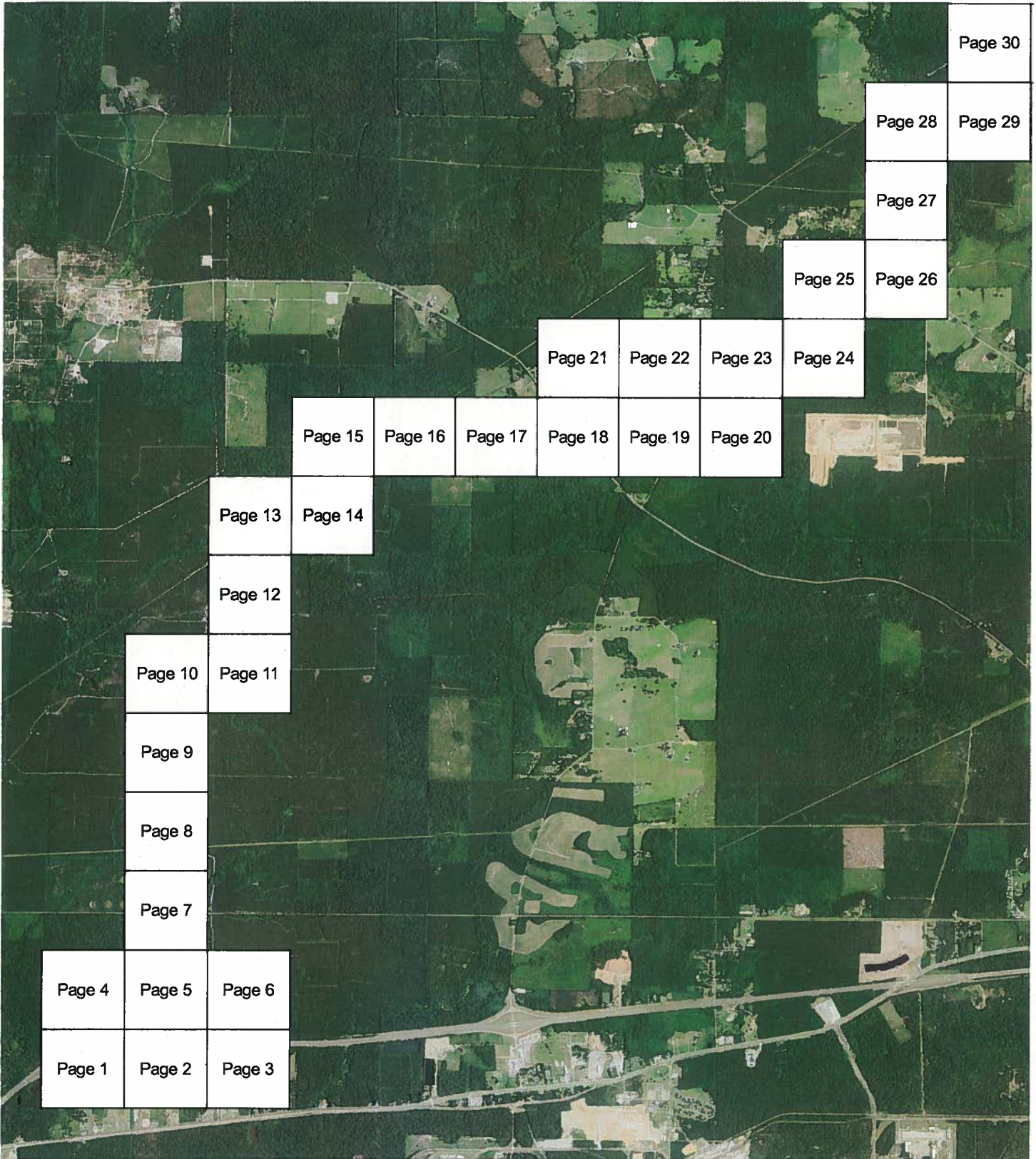
If you only have questions regarding the appeal process you may also contact: James B. Wiseman, Jr.
Administrative Appeals Review Officer
USACE – Mississippi Valley Division
P.O. Box 80
Vicksburg, MS 39181-0080
(601) 634-5820

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:



**MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)
Grid (key to 197 page preliminary jurisdictional determination)**

Grid Number: 1
June 22, 2011



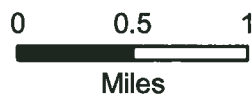
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Enclosure 1

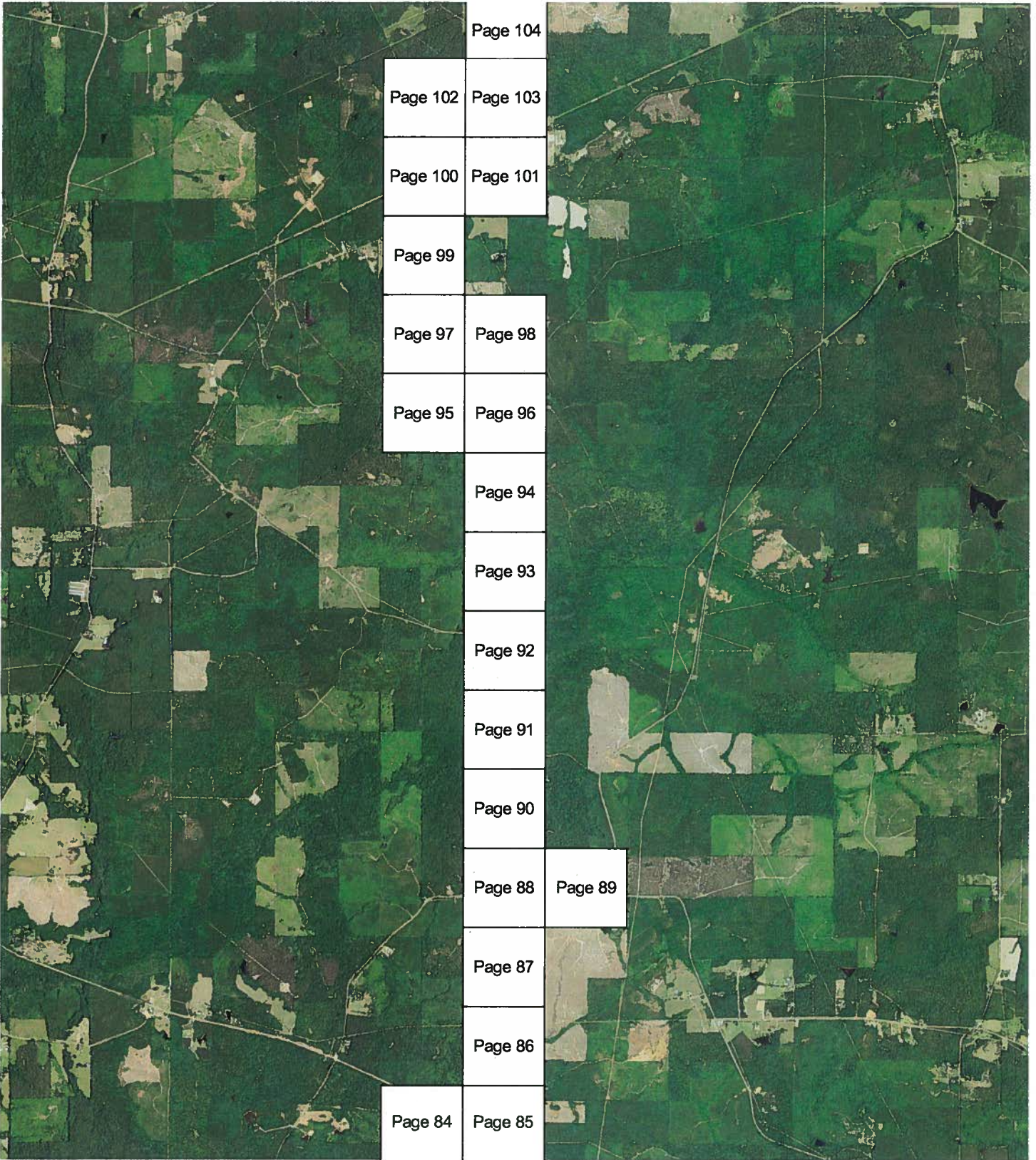


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Grid Number: 3
June 22, 2011



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**Grid Number: 4
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**MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)
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**Grid Number: 5
June 22, 2011**



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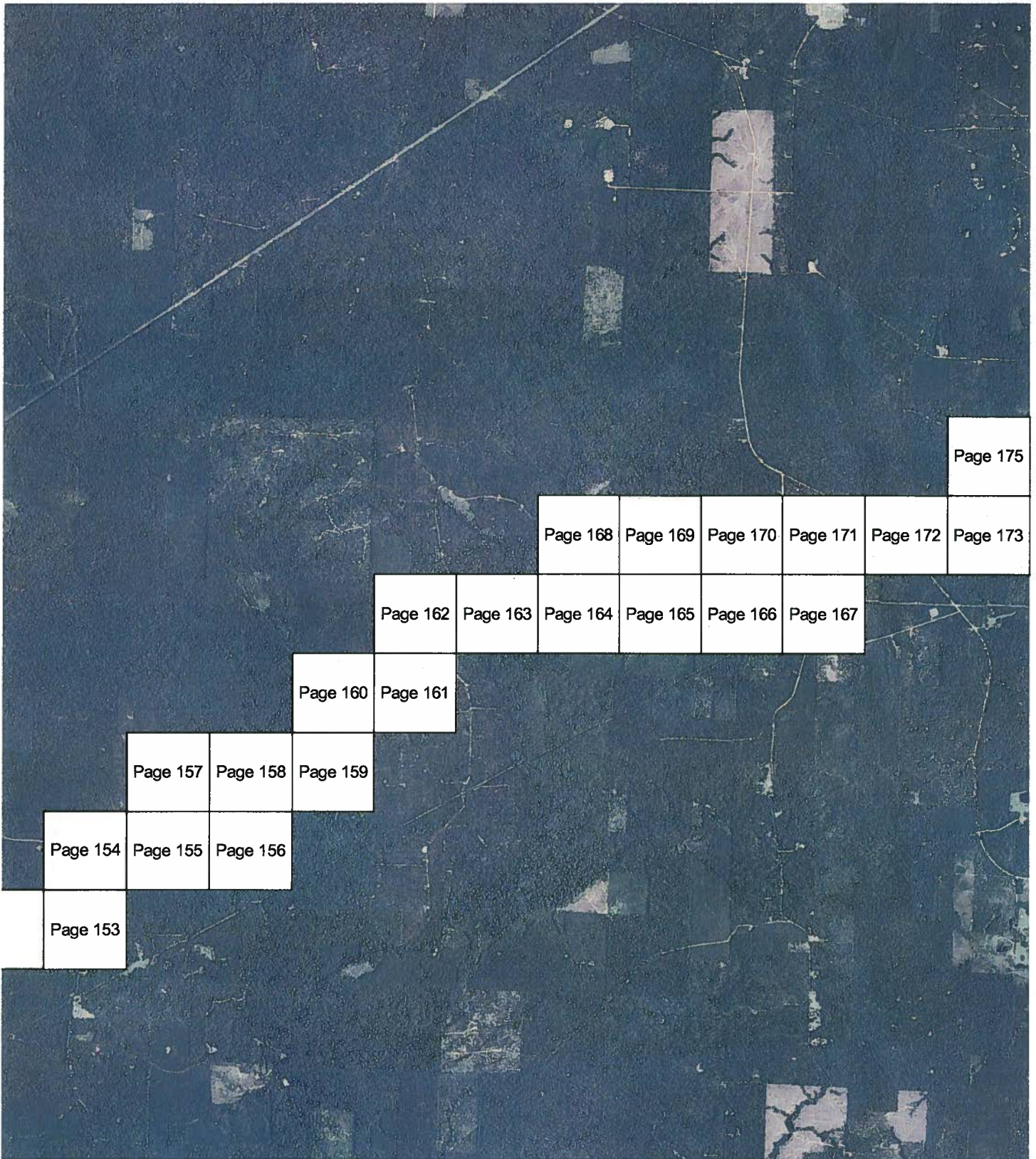


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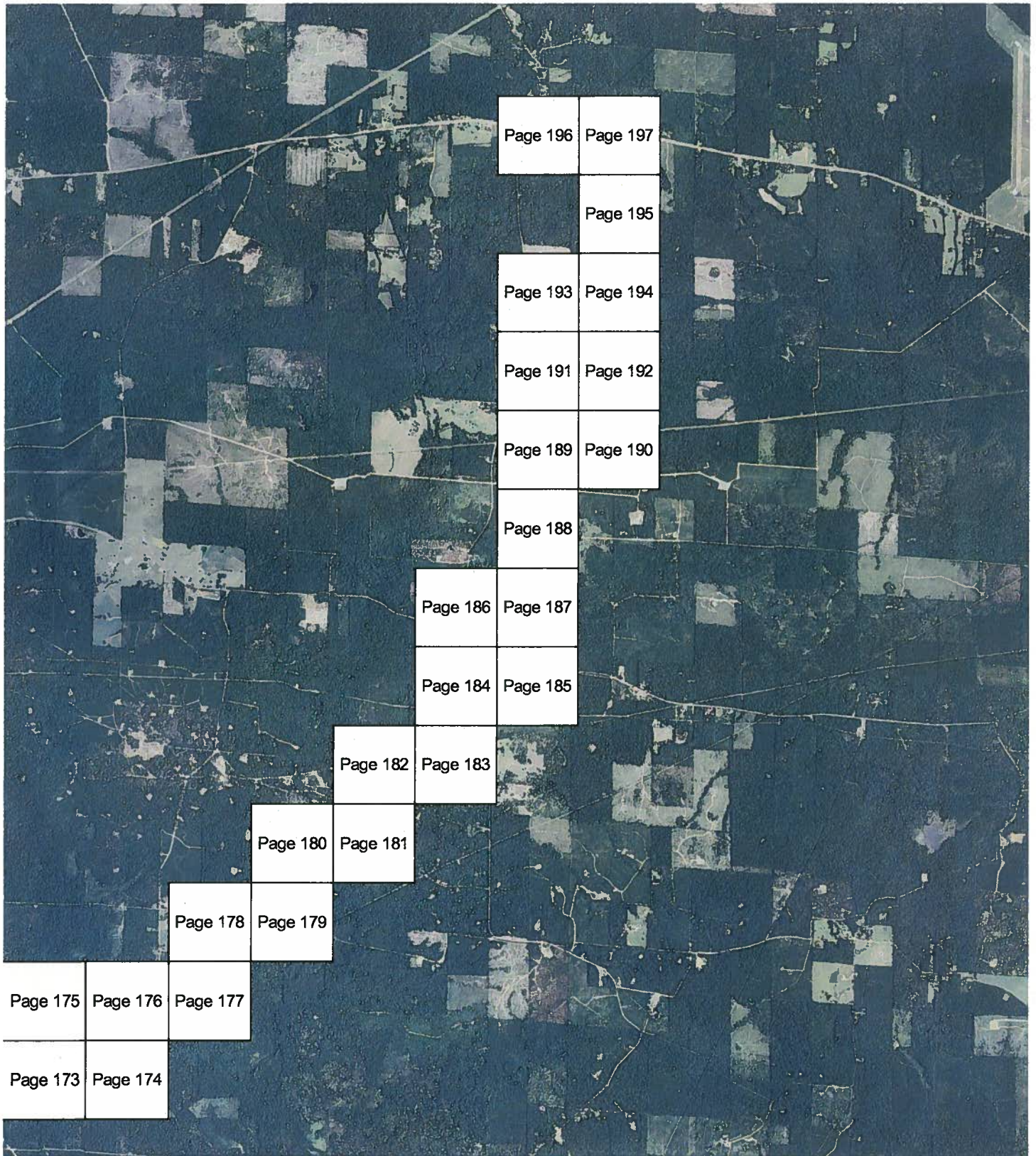


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**Grid Number: 7
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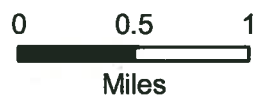


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**MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)
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**Grid Number: 8
June 22, 2011**













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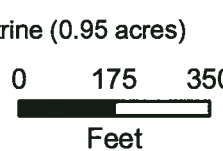
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-  Jurisdictional, POW, Open Water, Palustrine (7.19 acres)
-  Jurisdictional, PSS1, Broad-Leaved Deciduous, Scrub-Shrub, Palustrine (0.95 acres)
-  Jurisdictional, R2, Lower Perennial, Riverine (26,461.66 linear feet)
-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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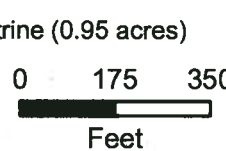
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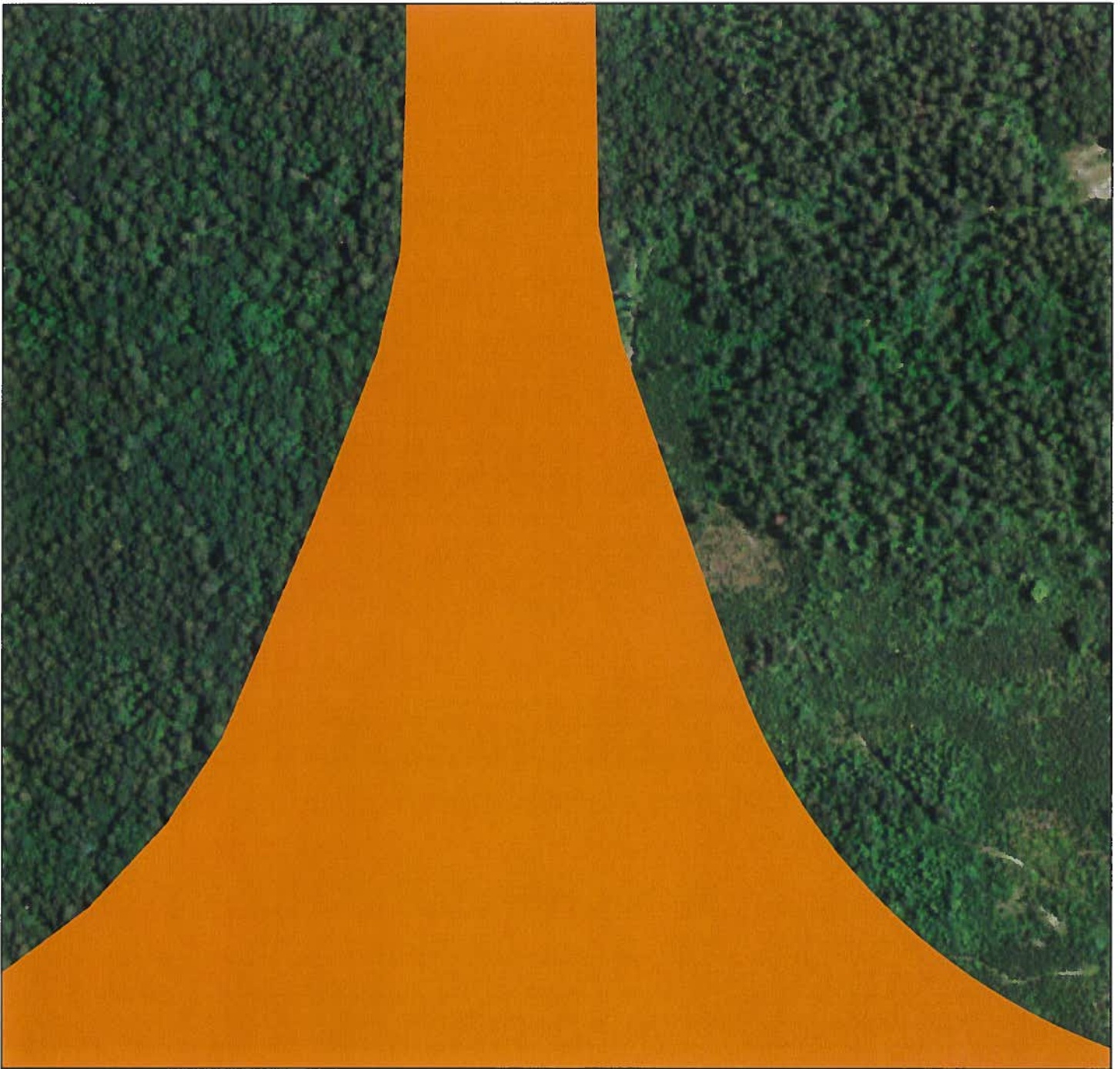
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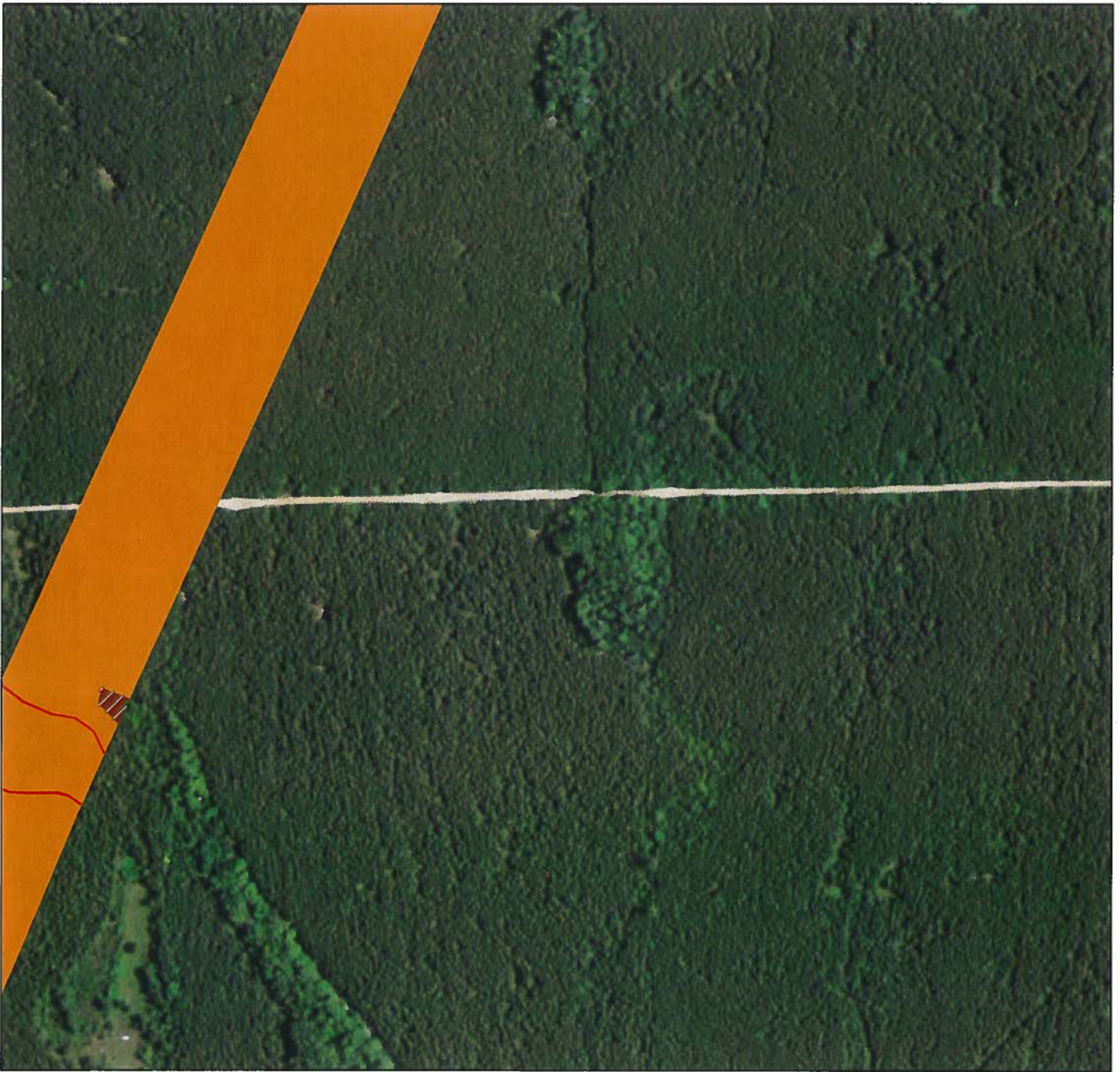
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






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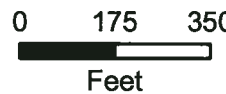
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






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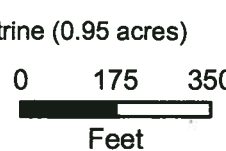
Legend

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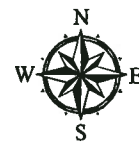
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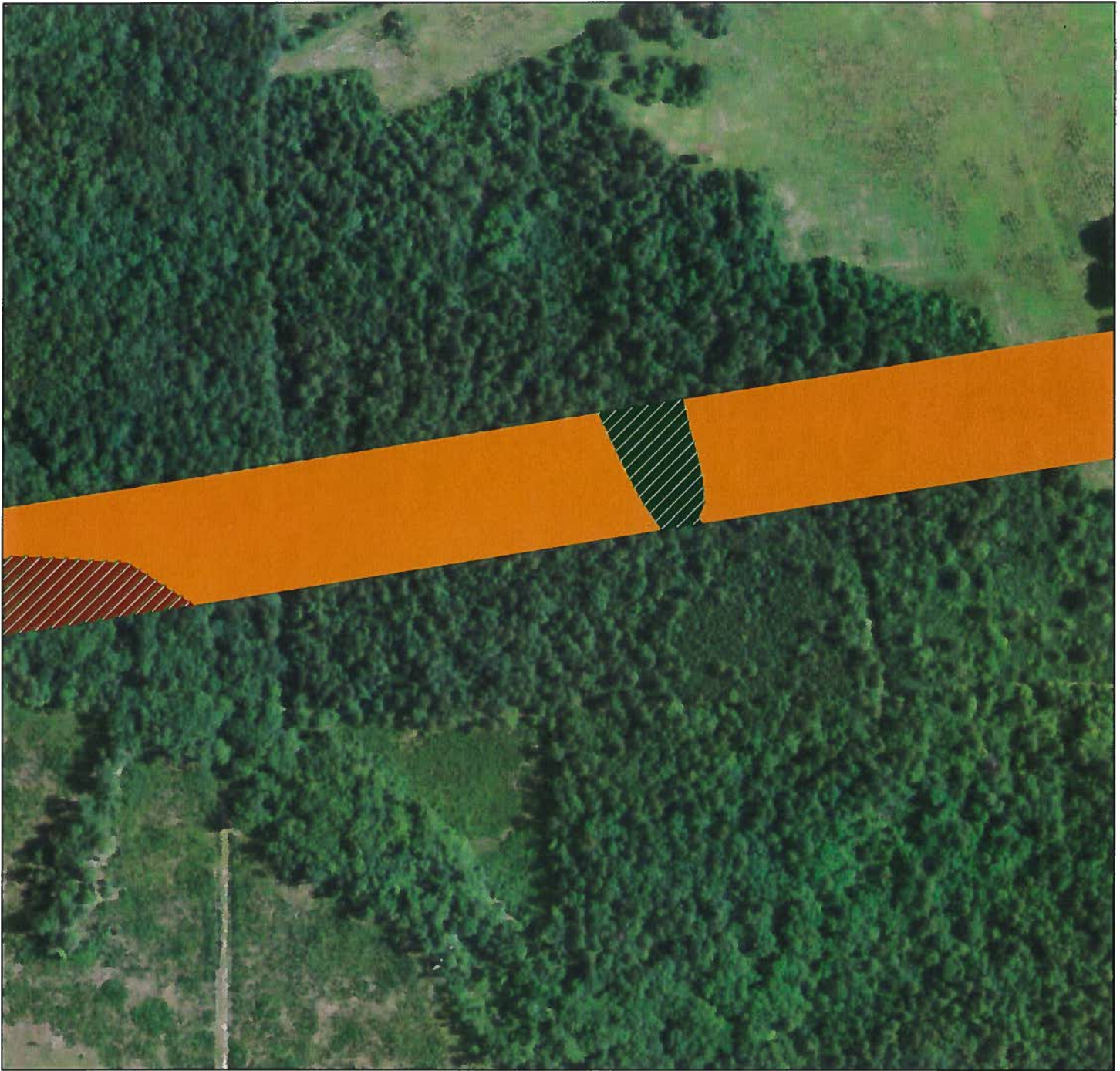
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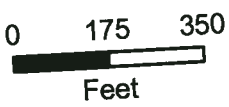
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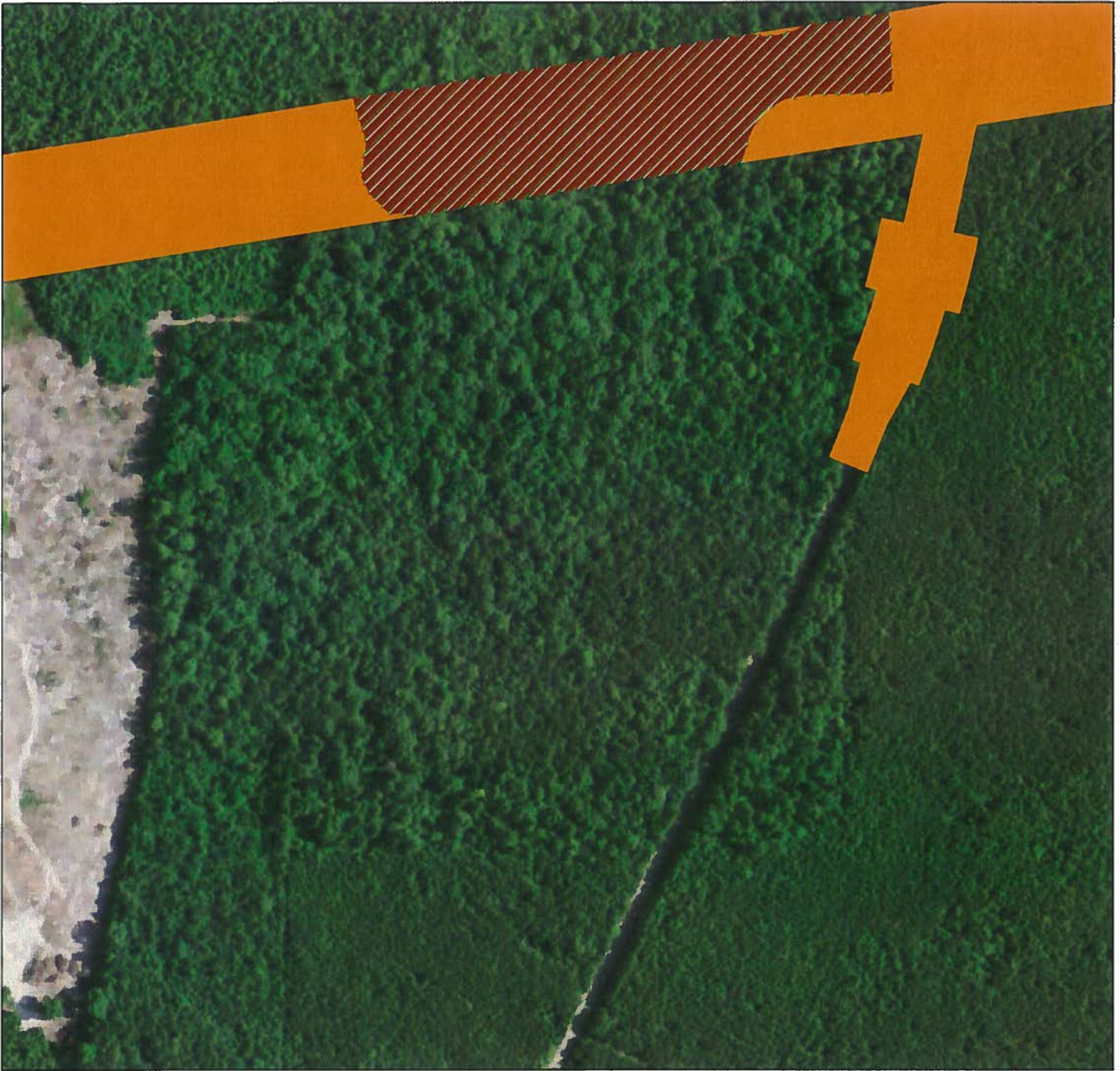
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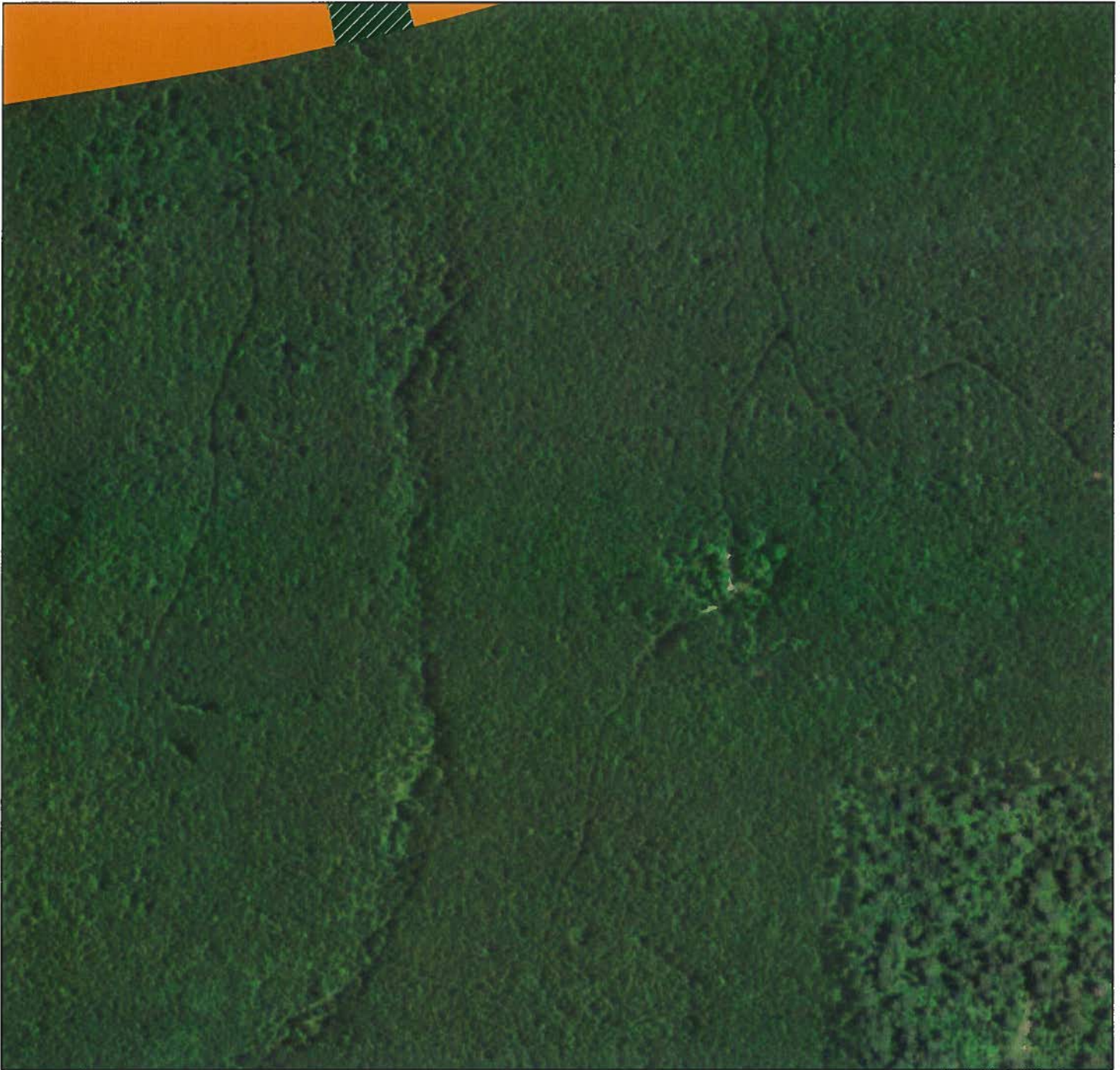
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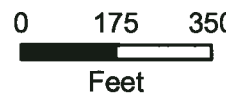
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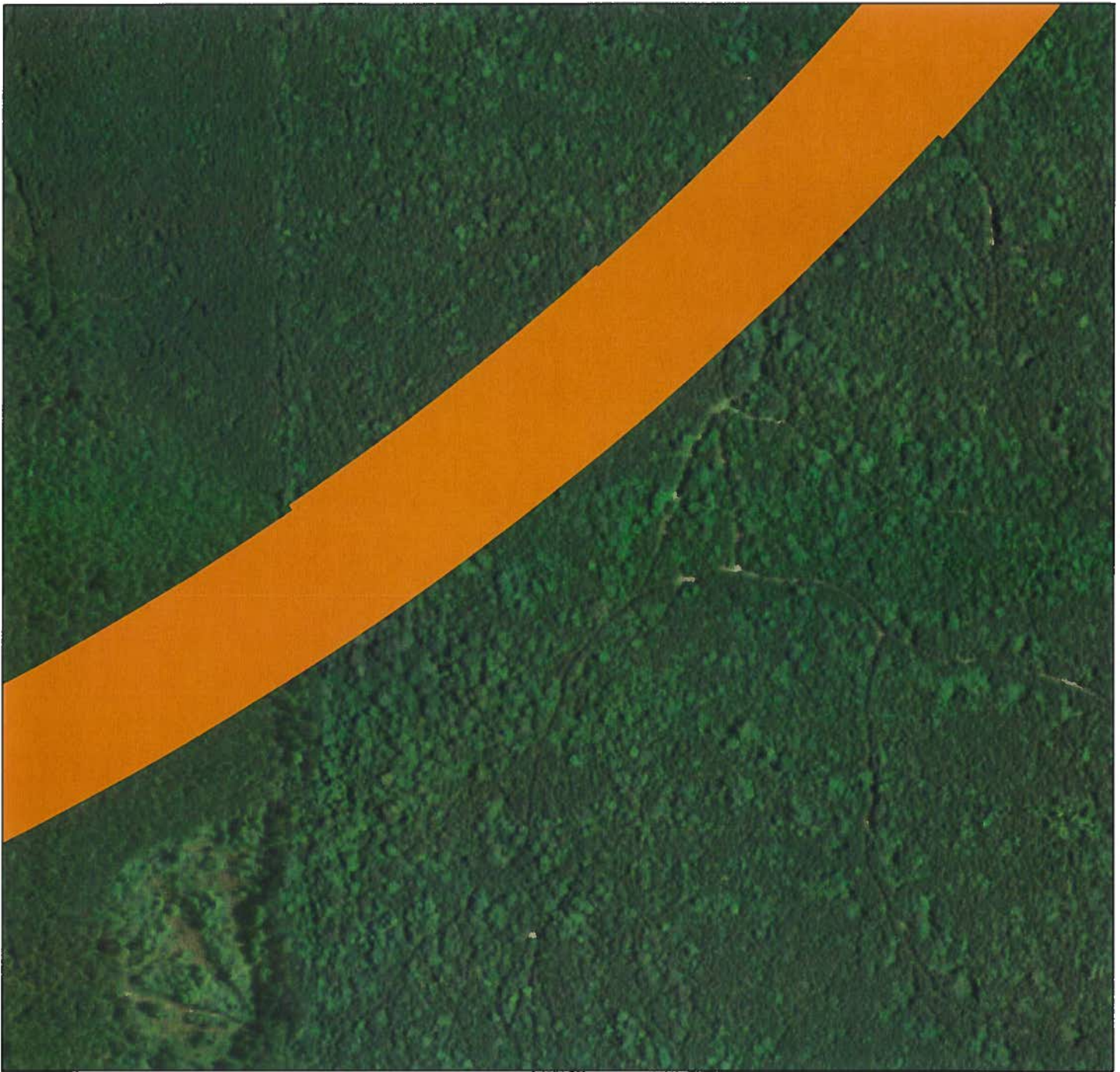
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






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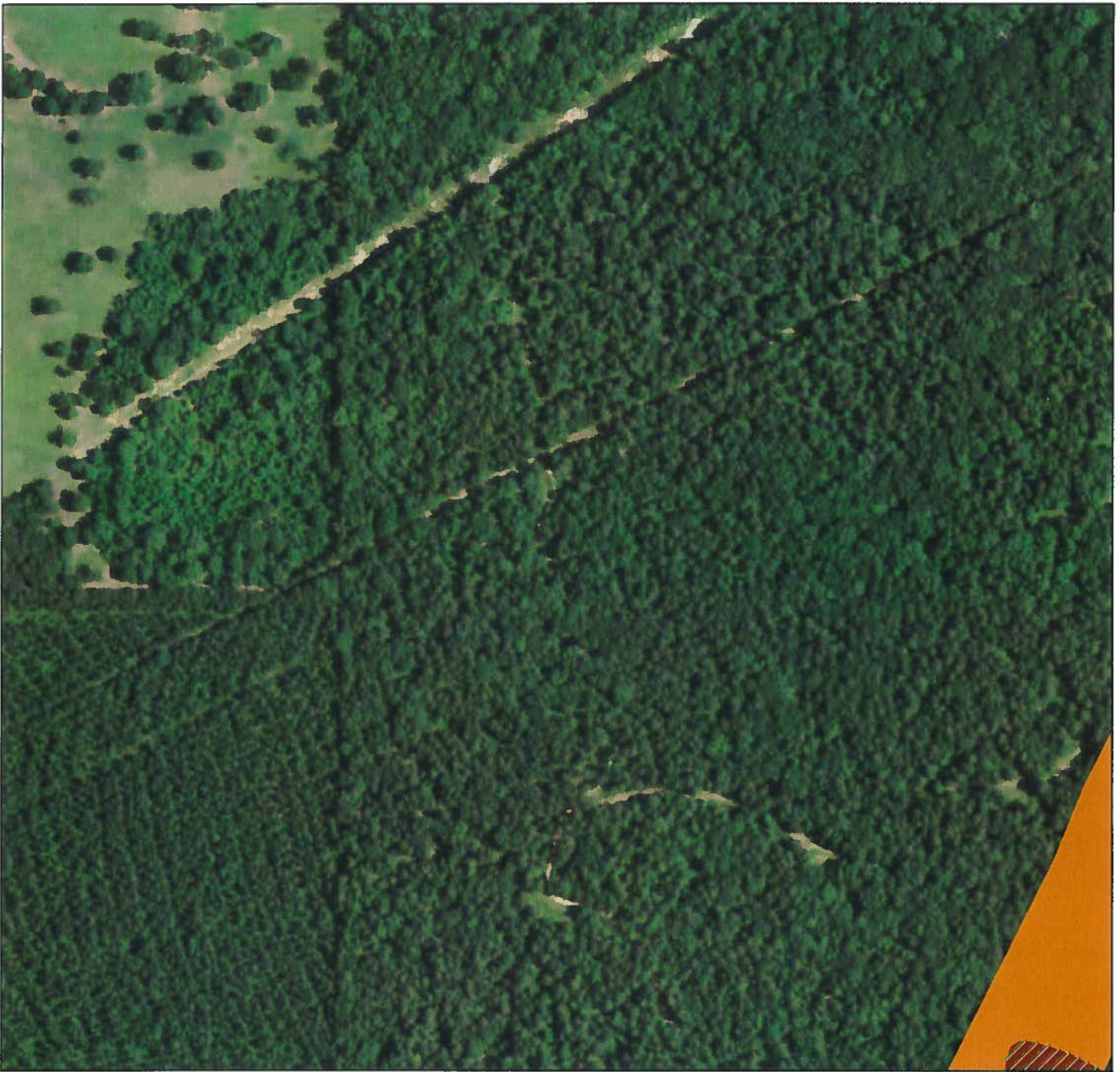
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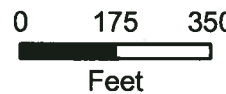
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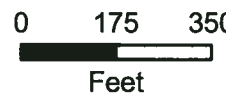
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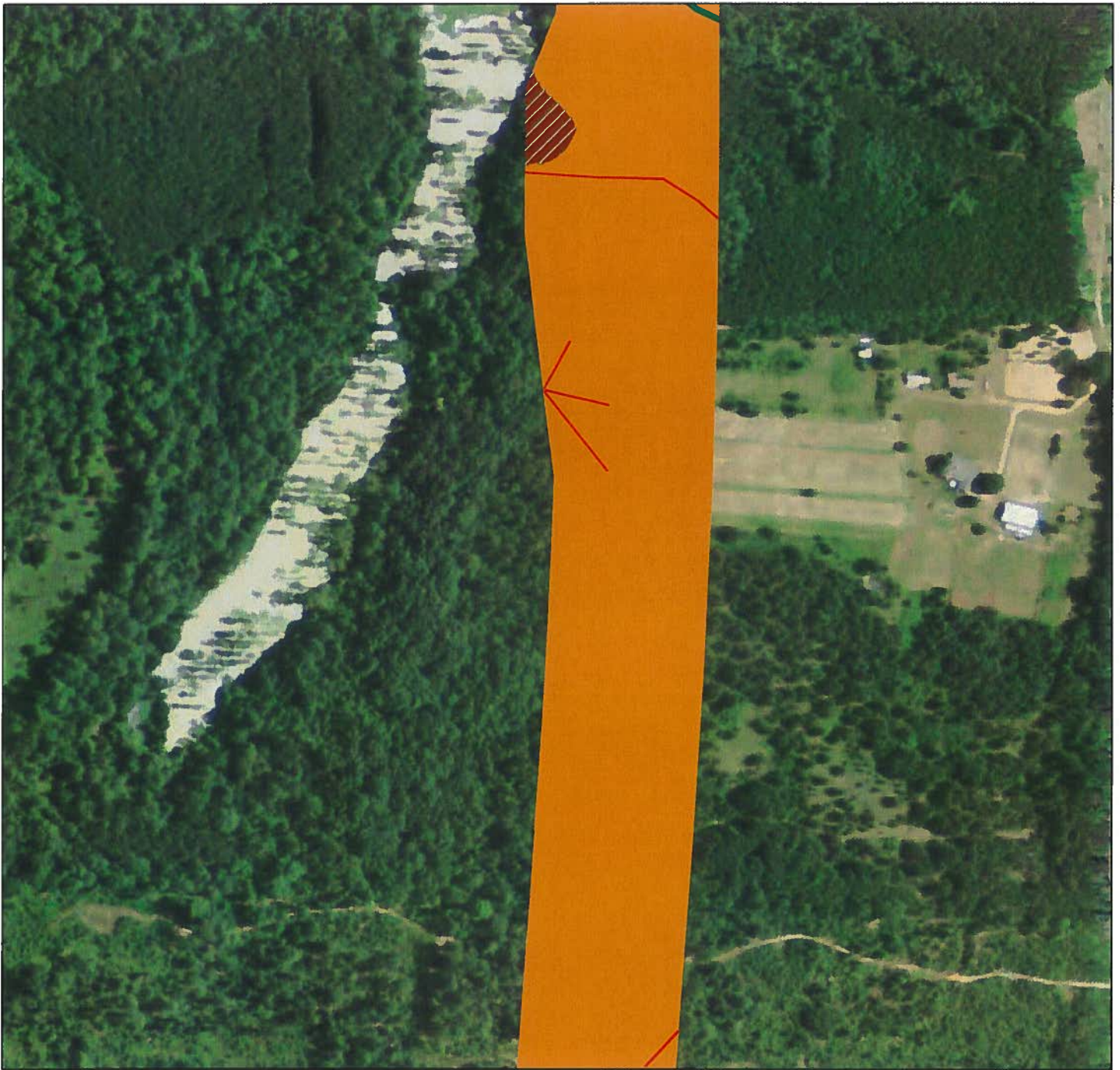
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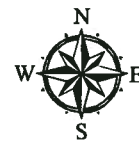
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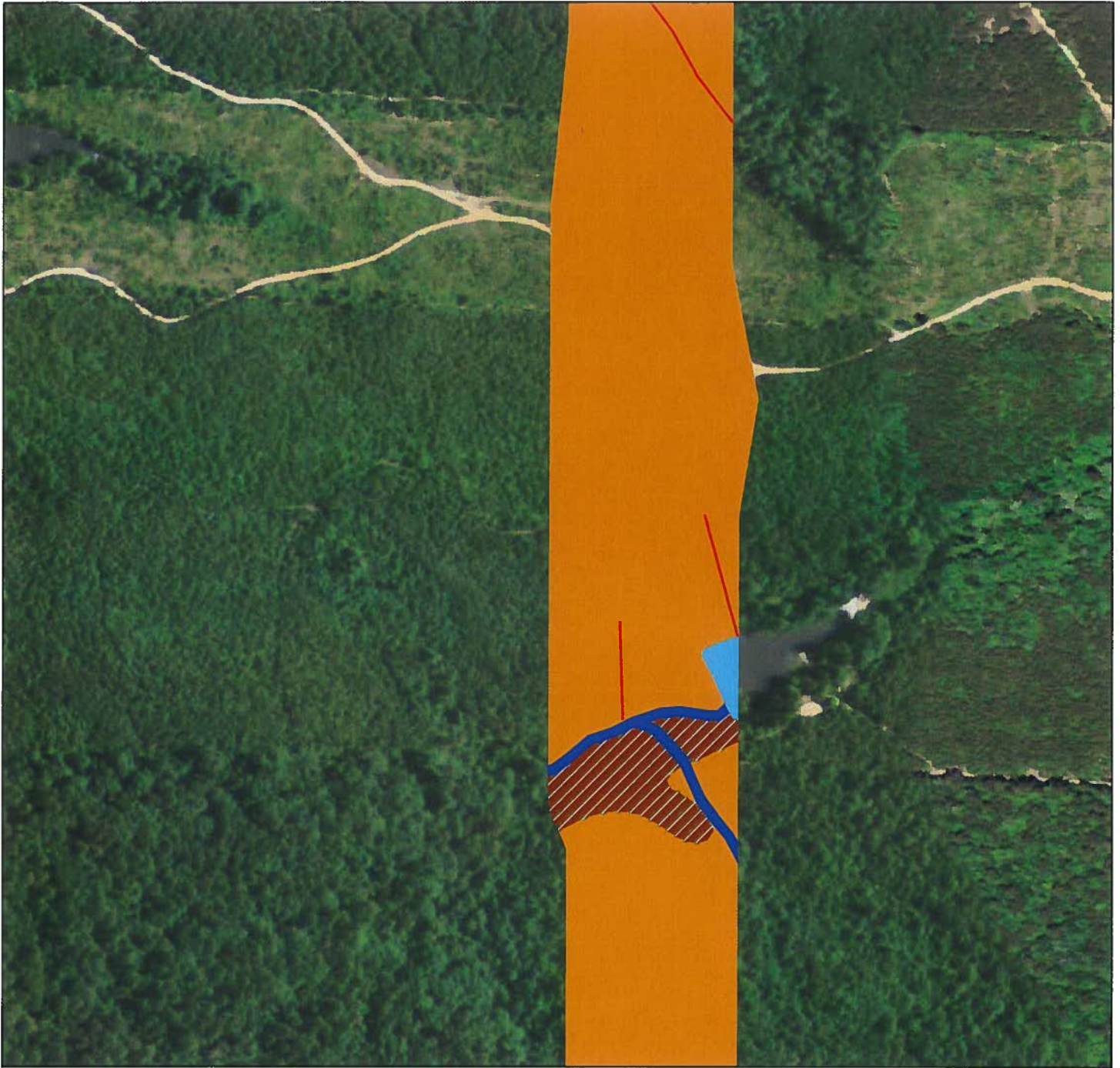
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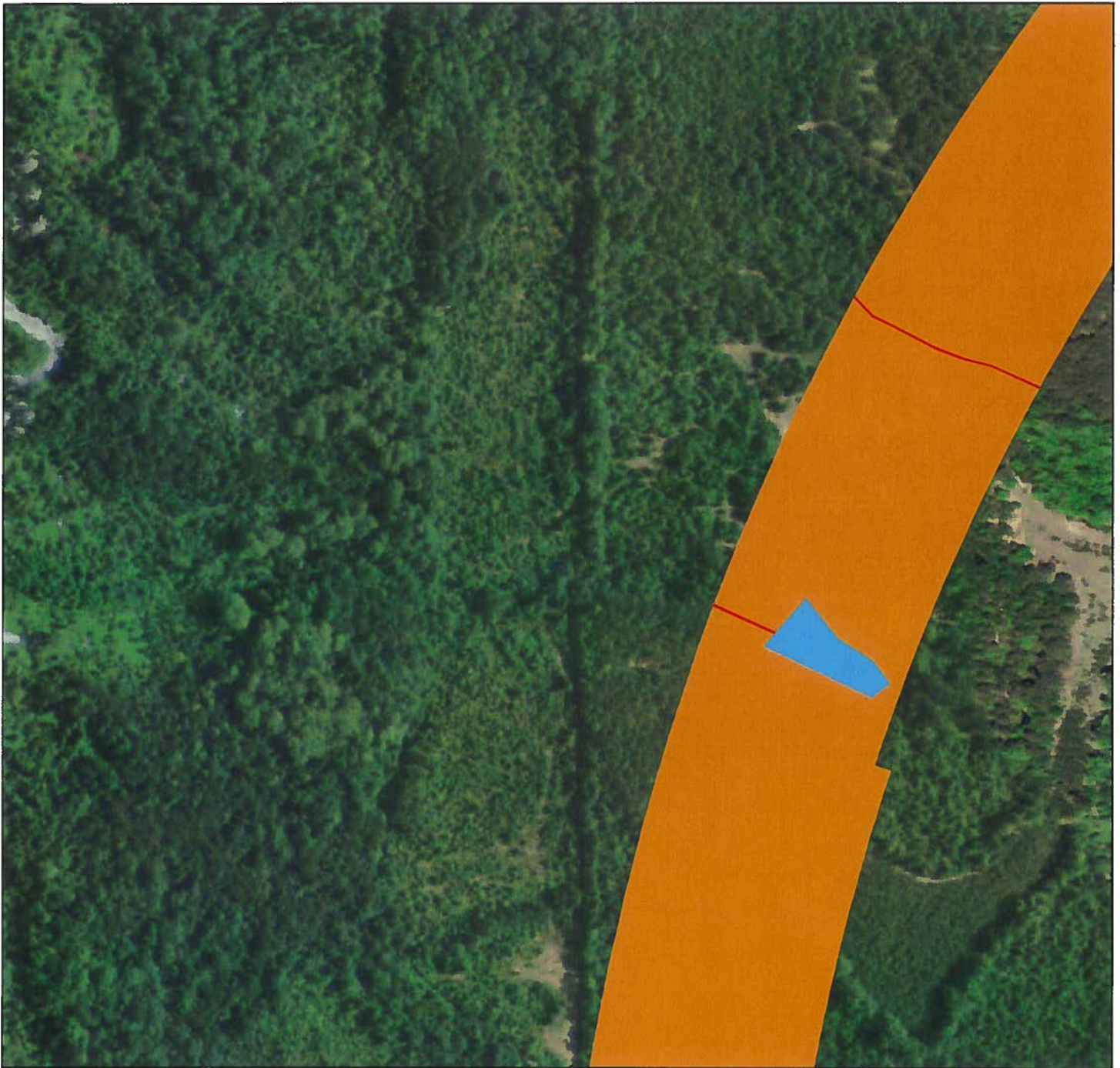
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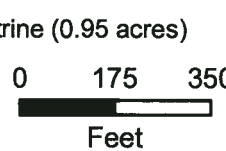
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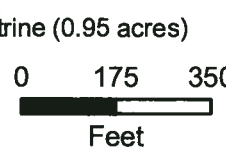
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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

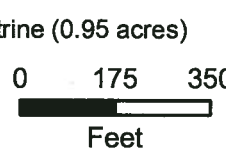
Legend

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-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

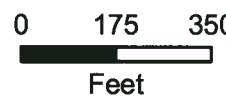
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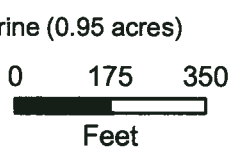
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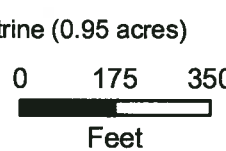
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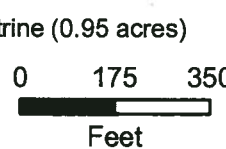
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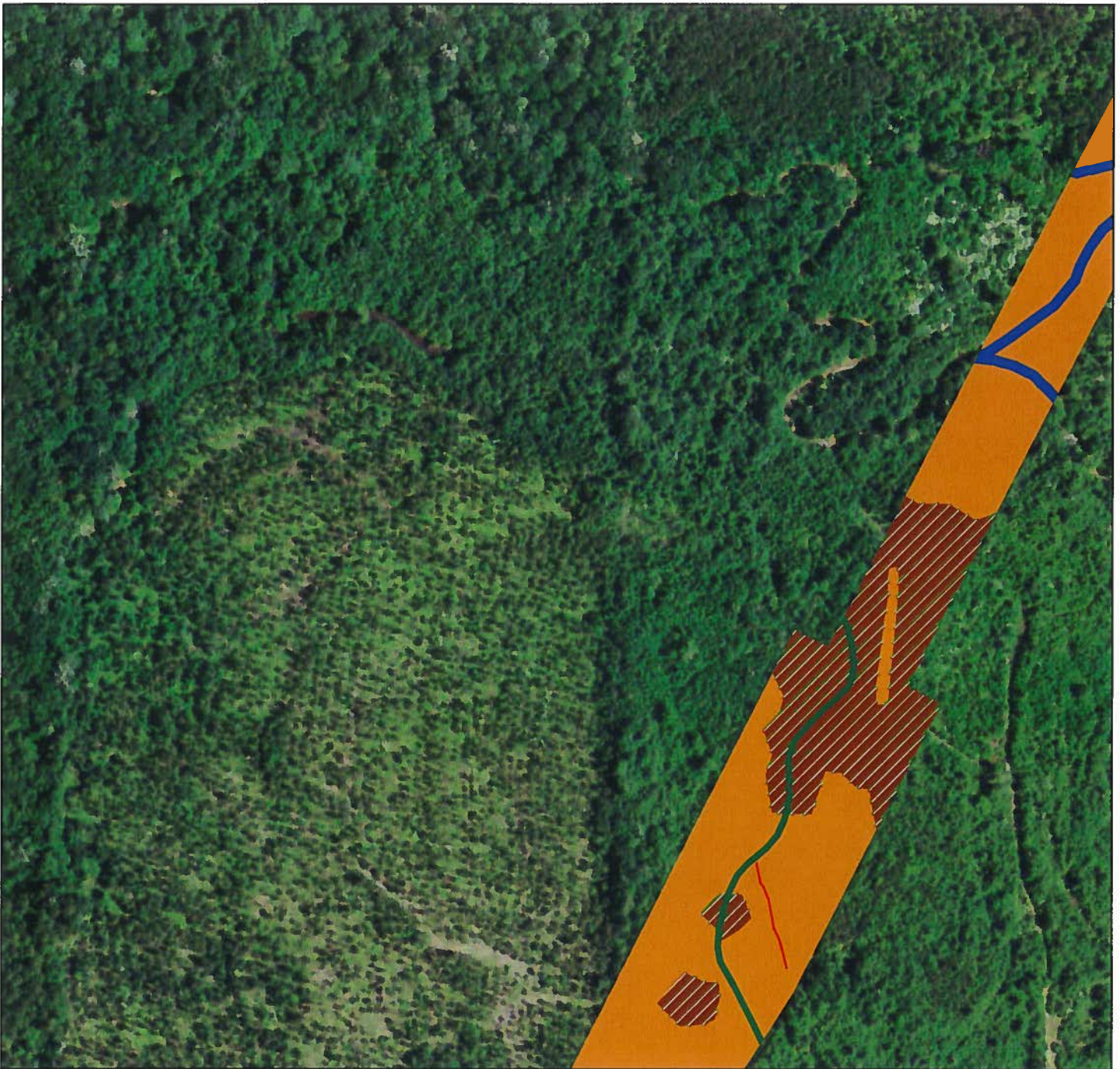
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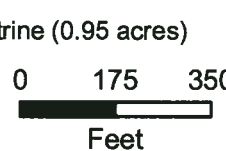
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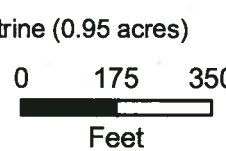
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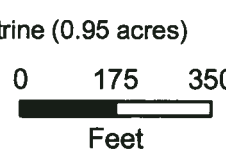
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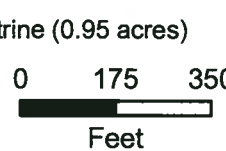
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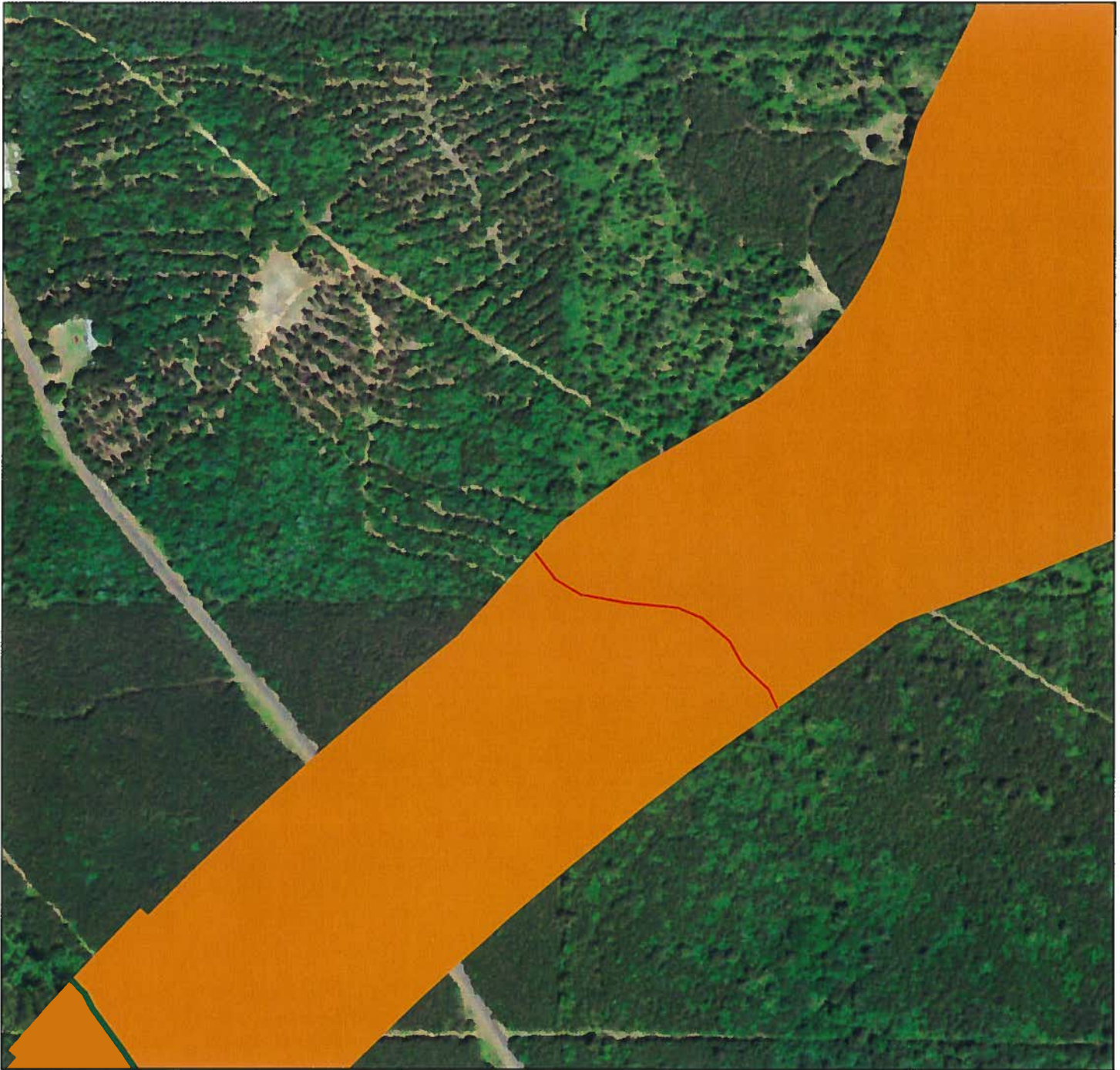
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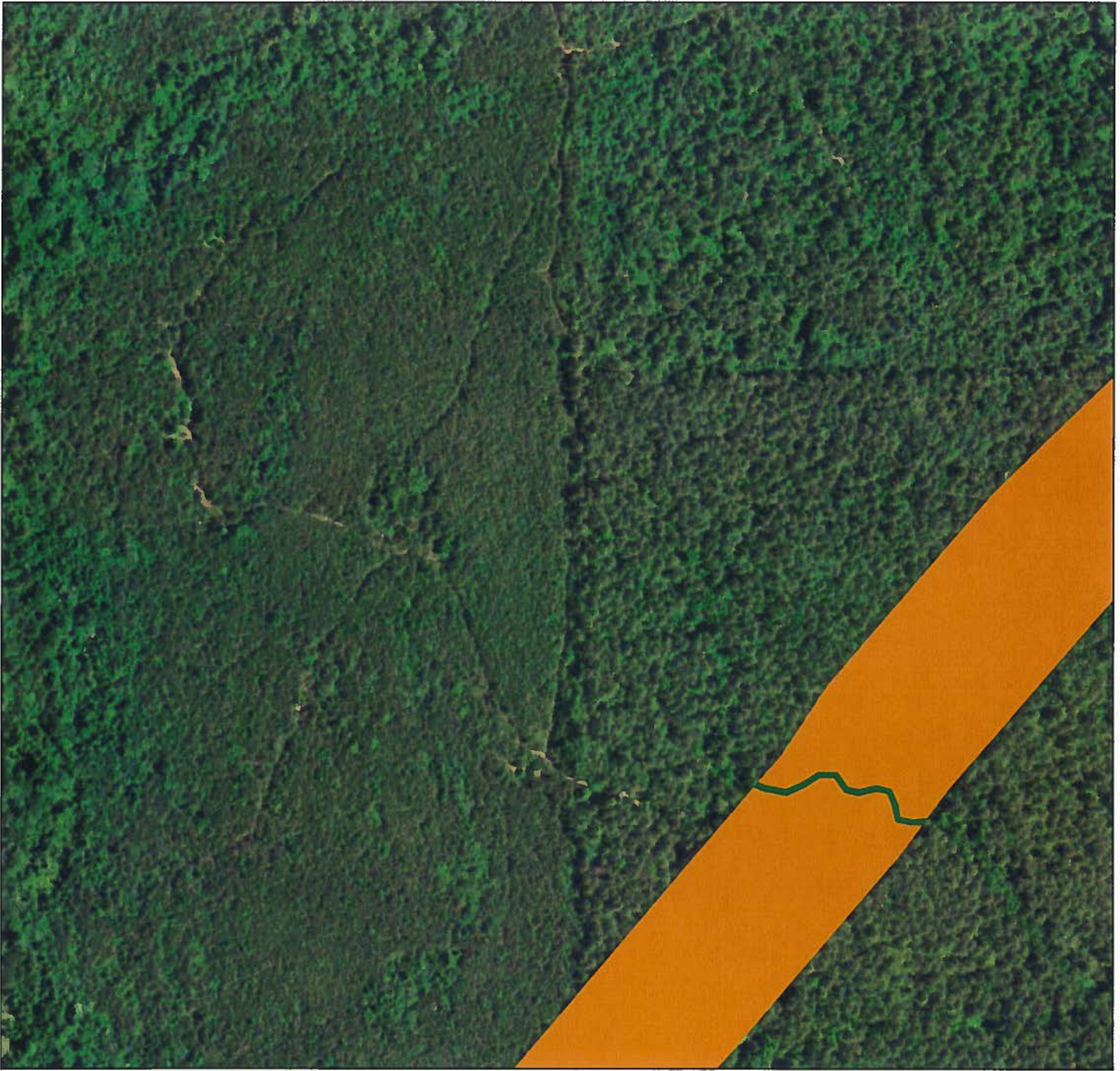
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Legend

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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

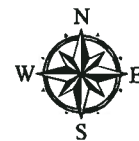
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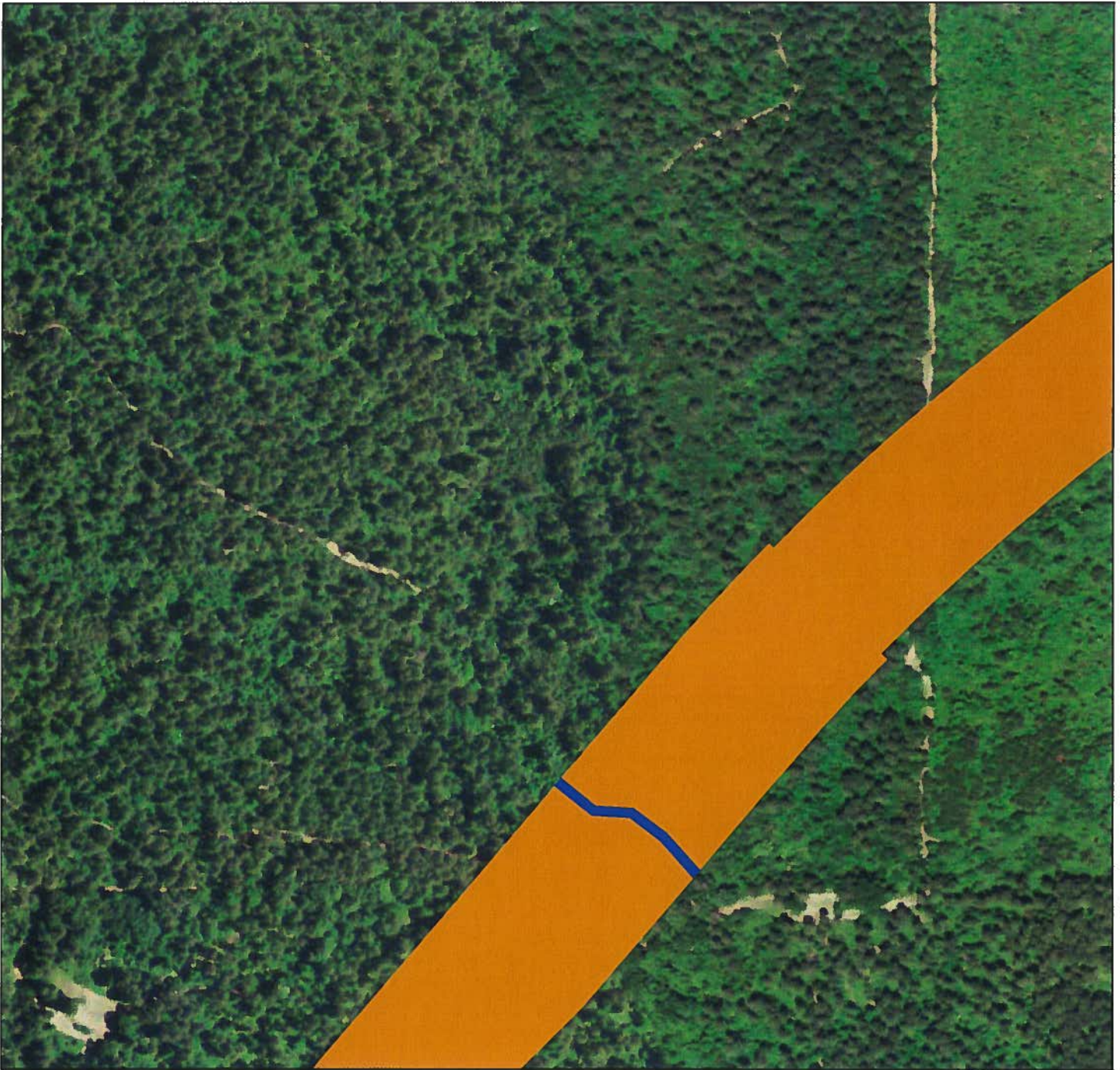
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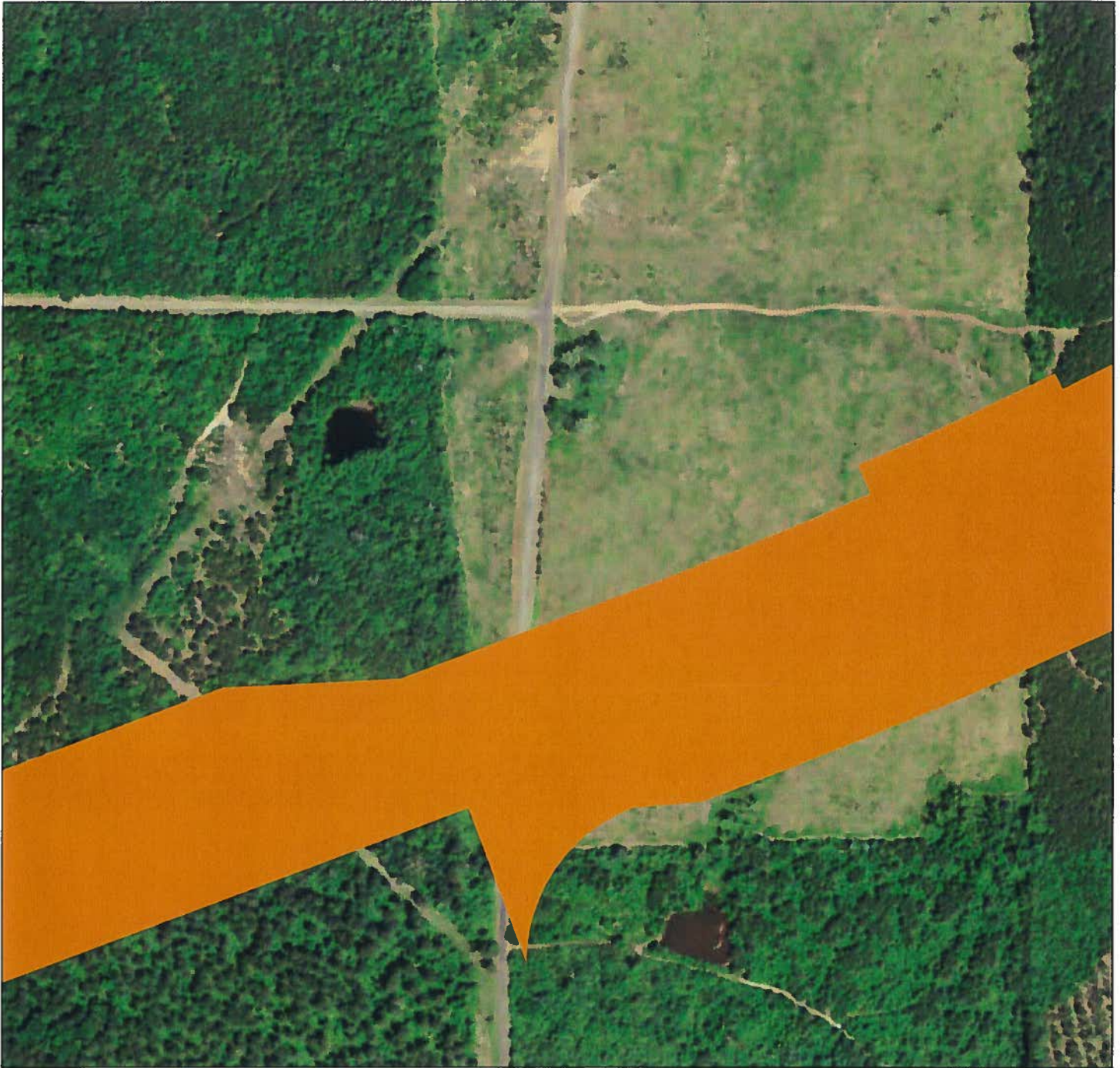
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





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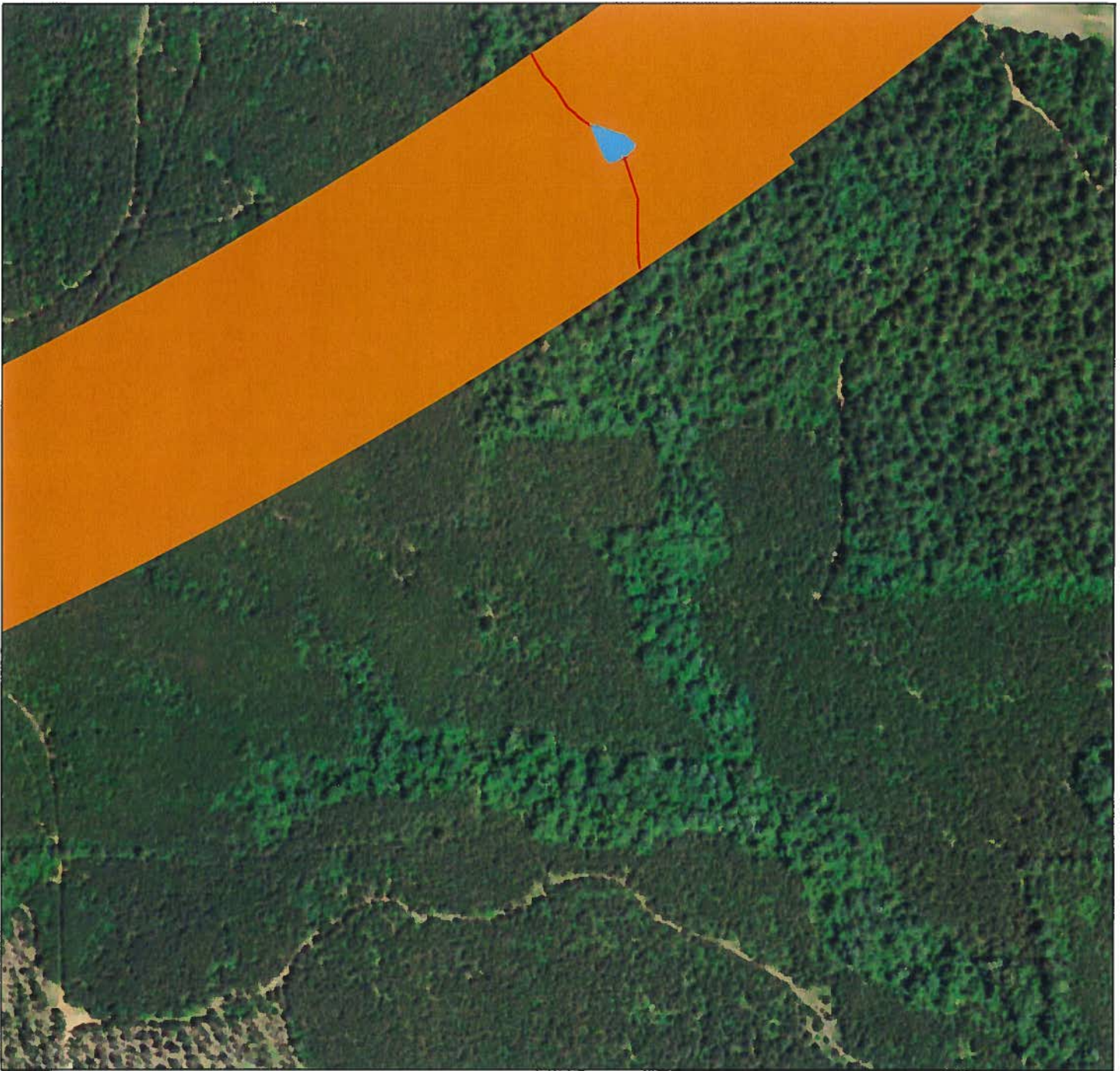
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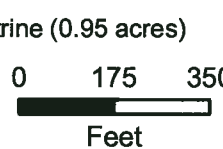
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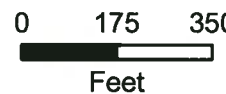
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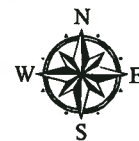
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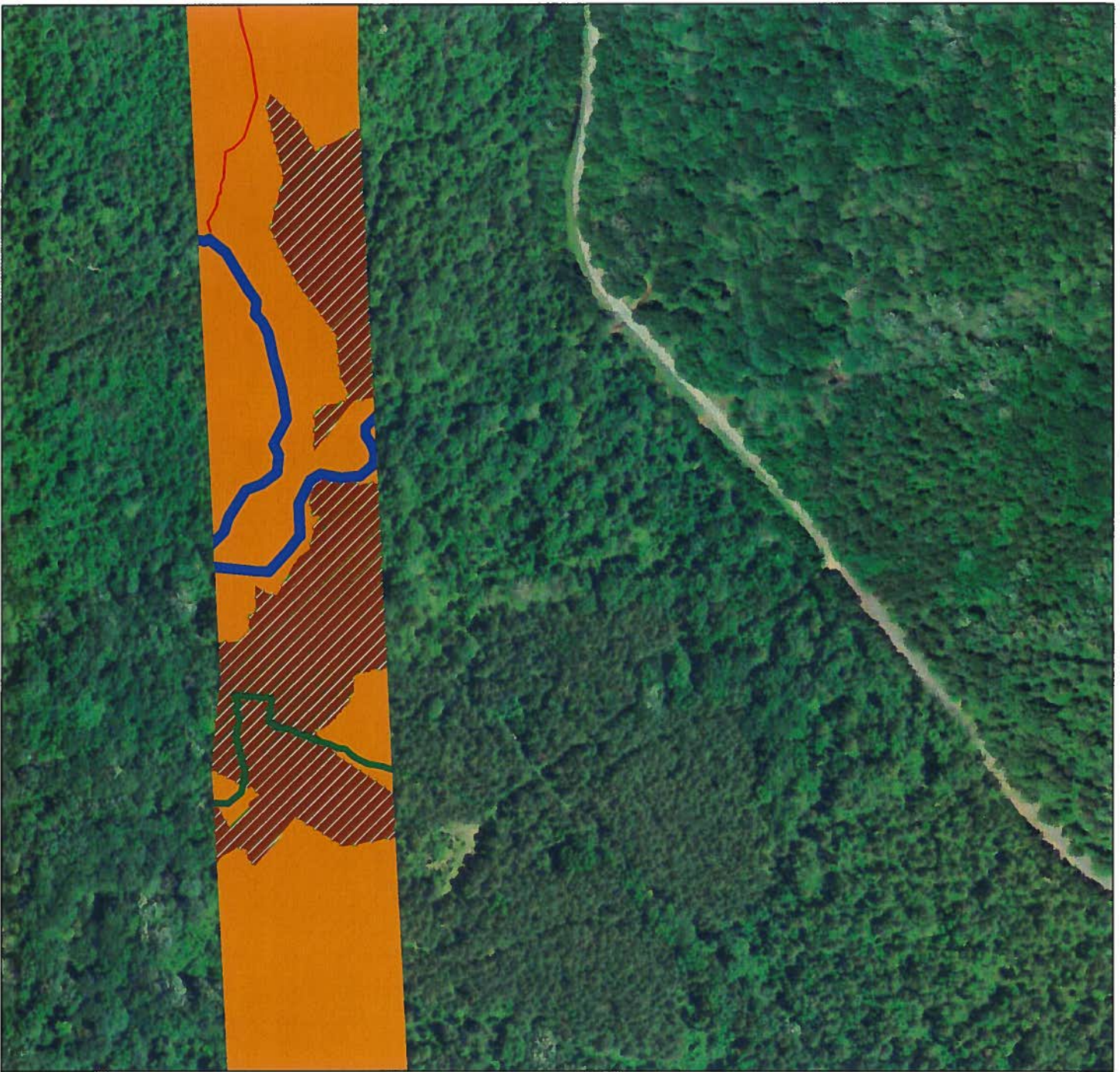
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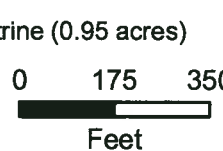
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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

Legend

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-  Jurisdictional, R2, Lower Perennial, Riverine (26,461.66' linear feet)
-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

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






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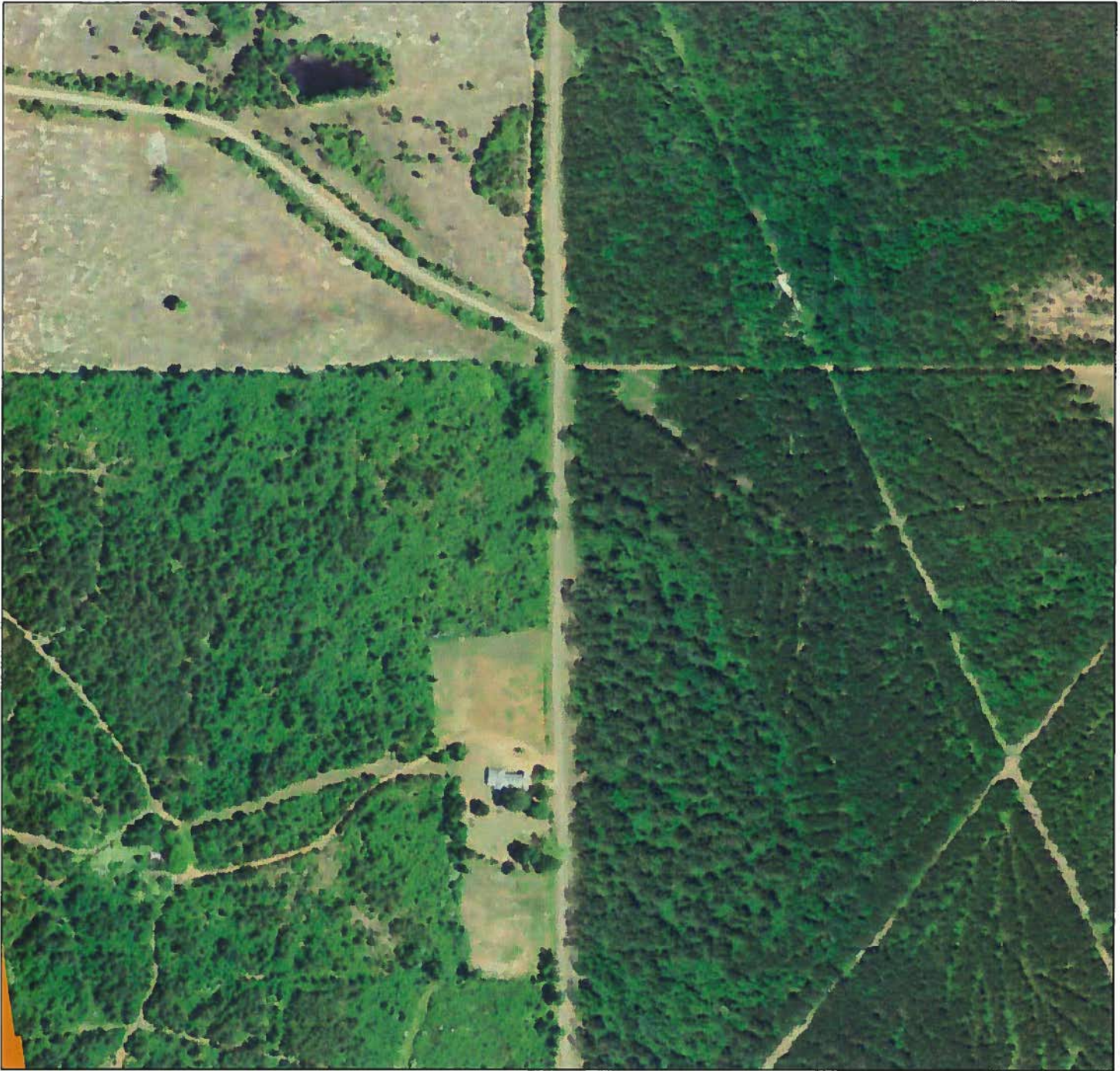
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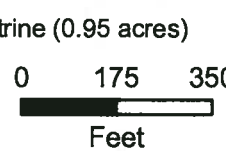
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






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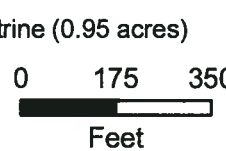
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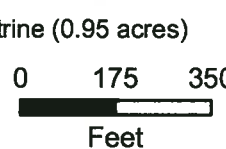
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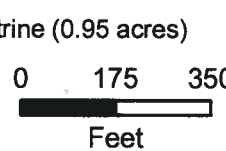
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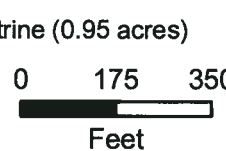
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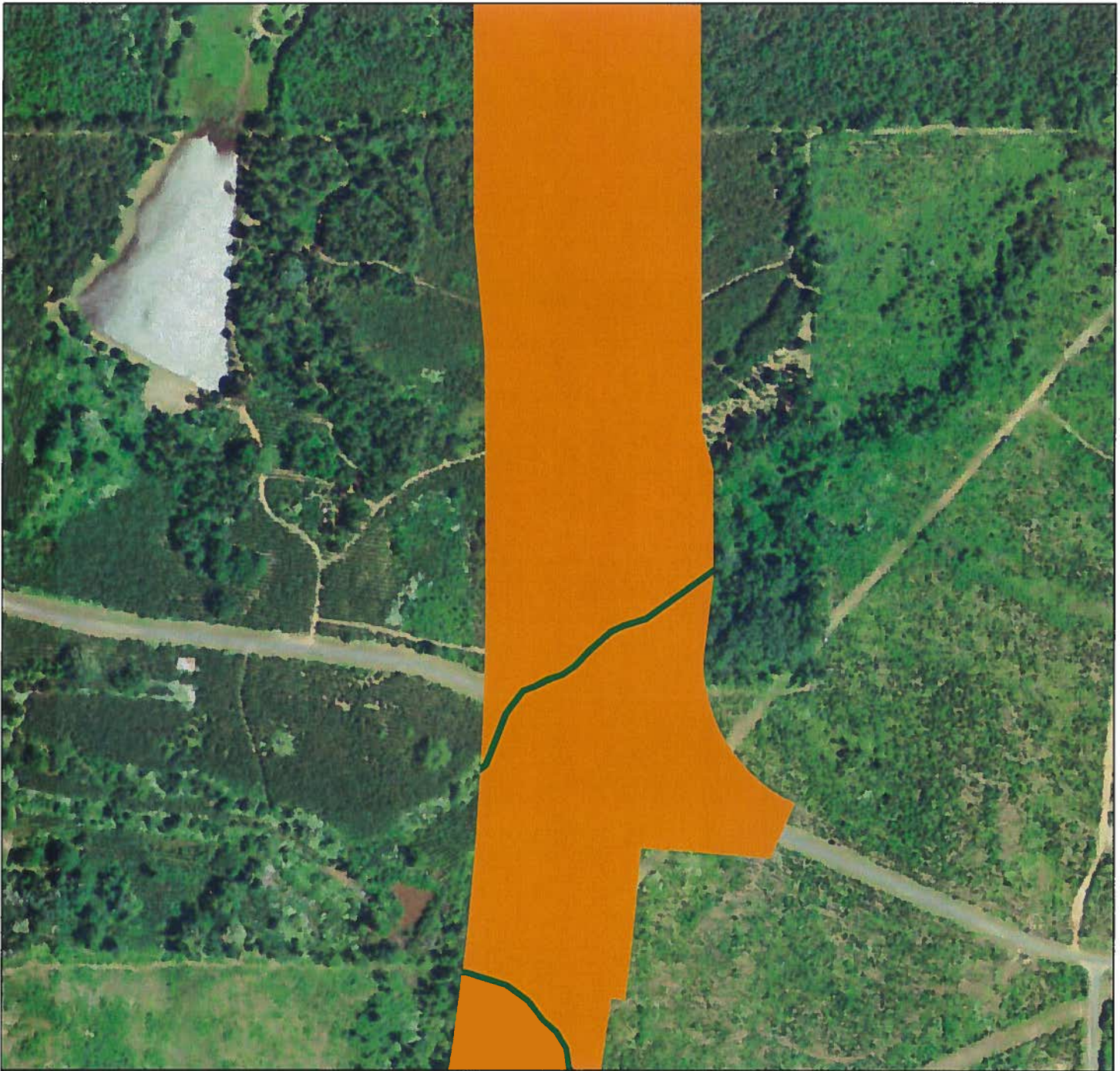
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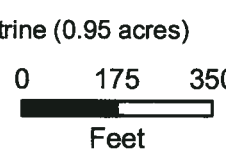
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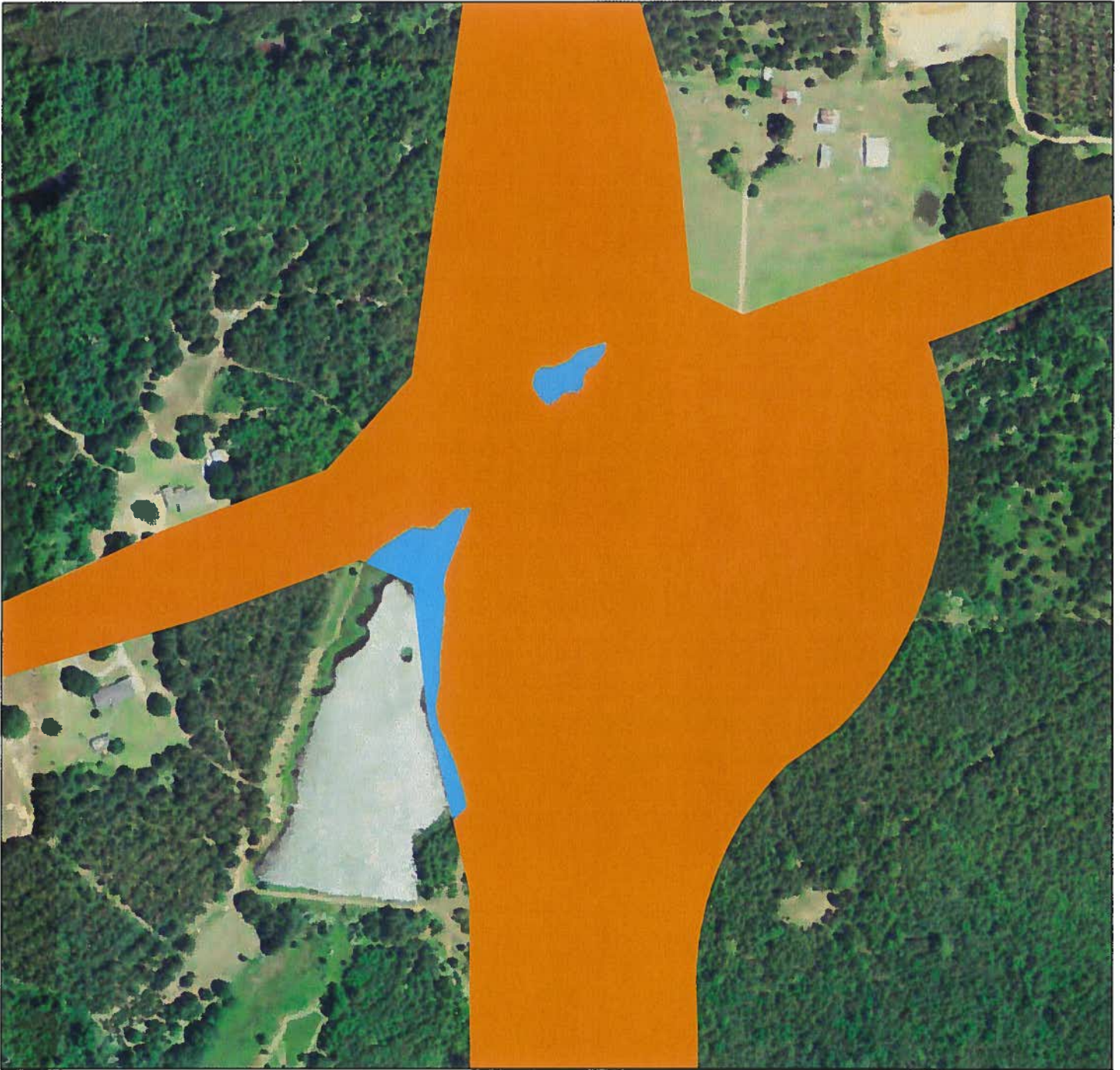
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






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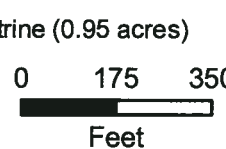
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


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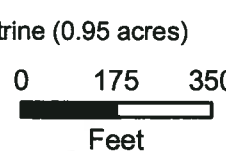
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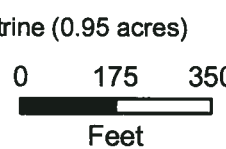
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-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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Legend

This map, which is part of a series, must be depicted in color. All totals are preliminary estimates.

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- Jurisdictional, PSS1, Broad-Leaved Deciduous, Scrub-Shrub, Palustrine (0.95 acres)
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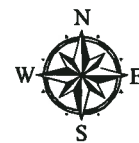
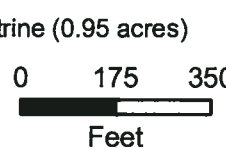
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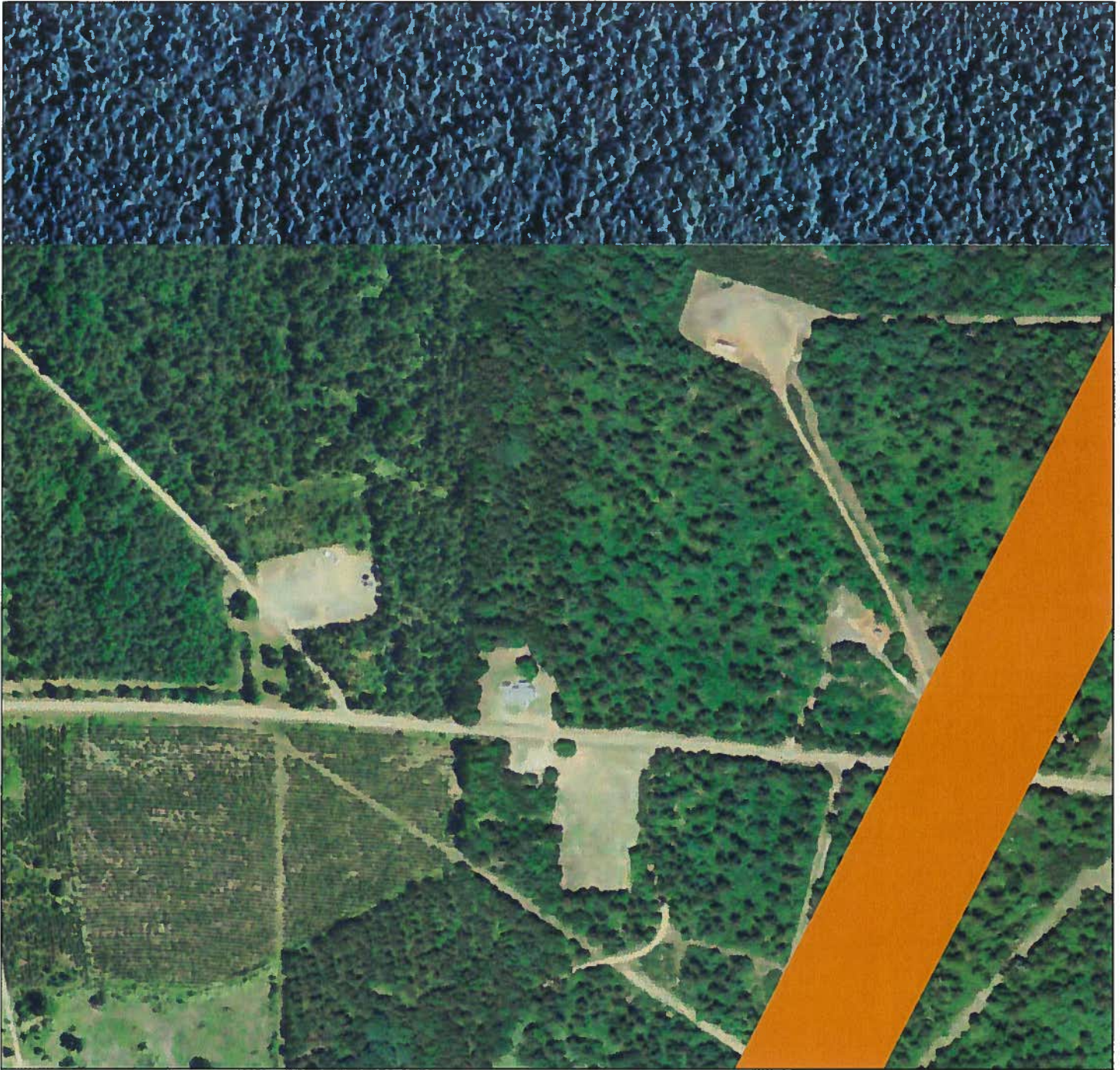
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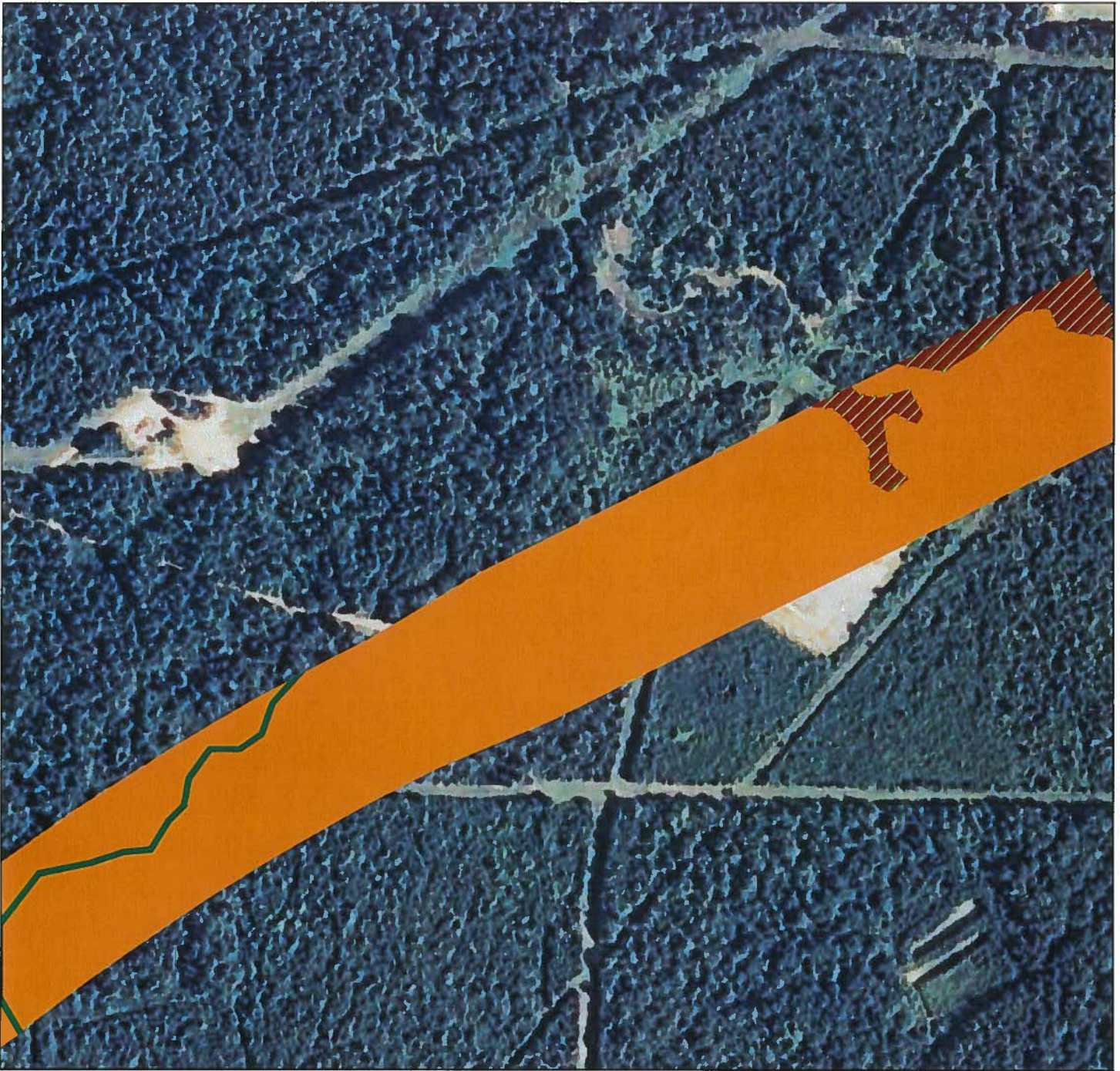
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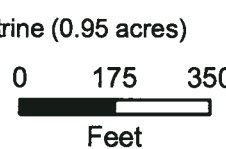
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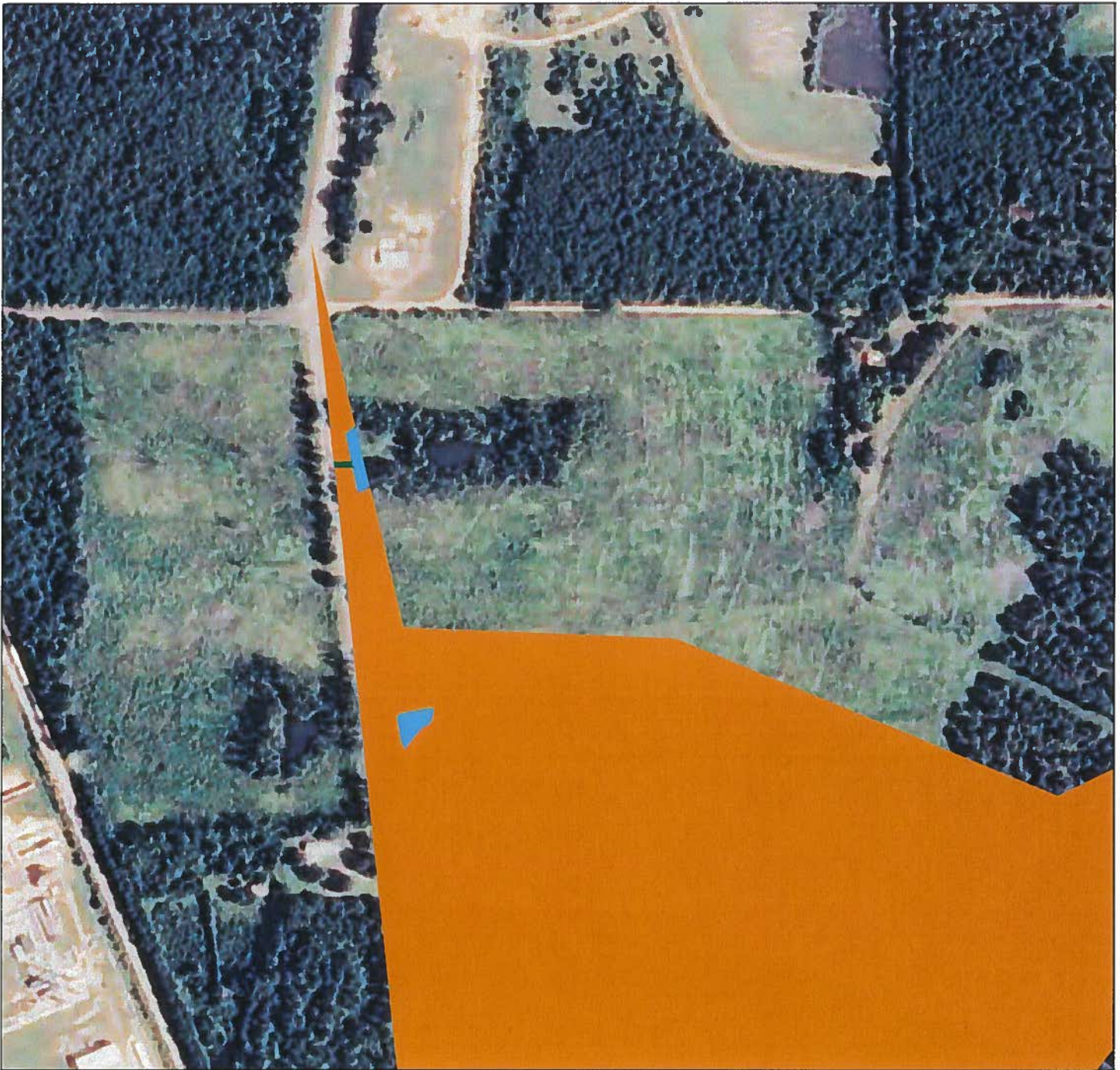
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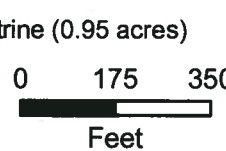
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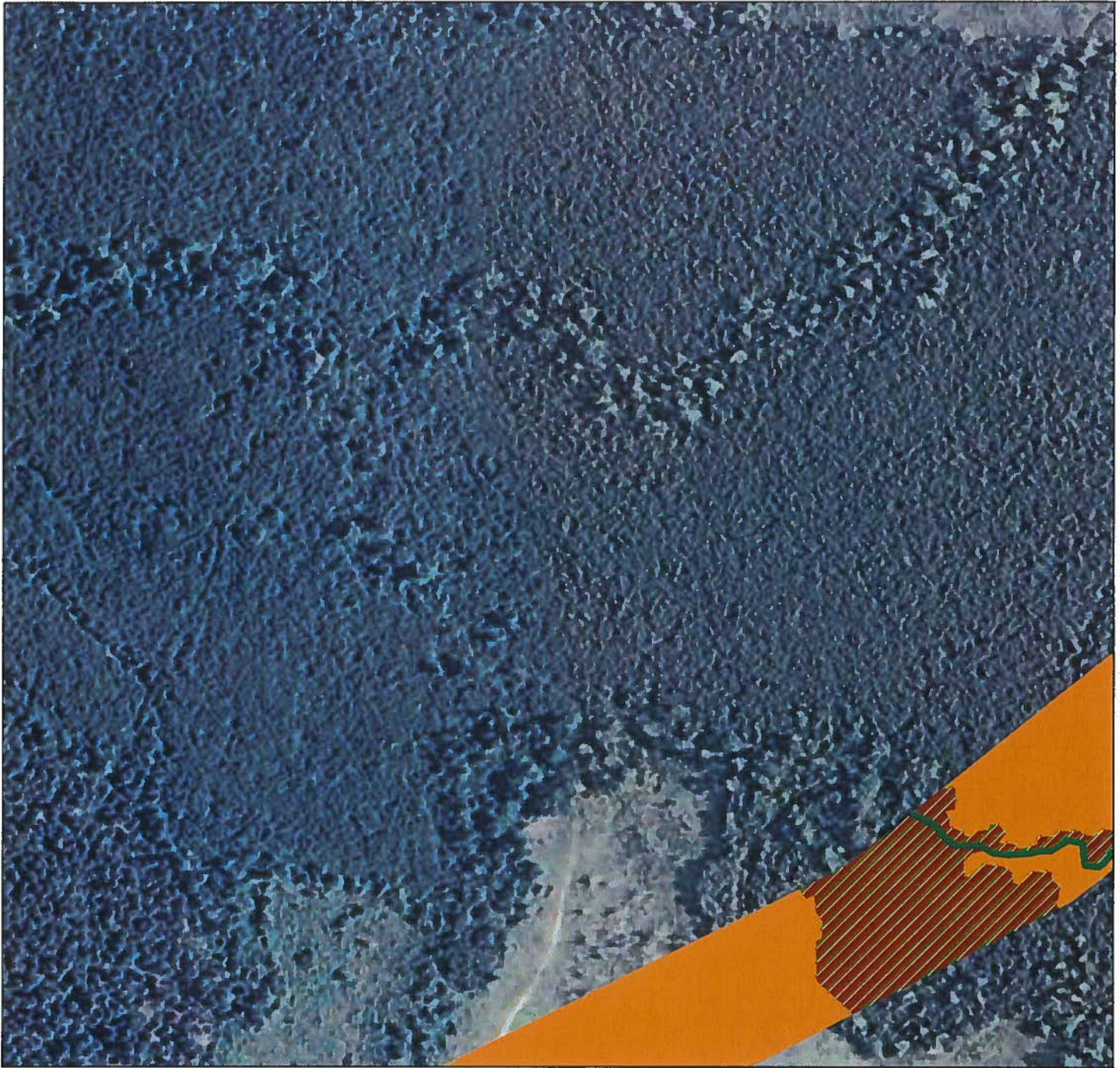
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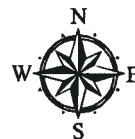
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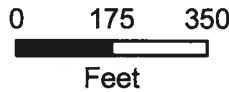
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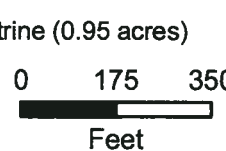
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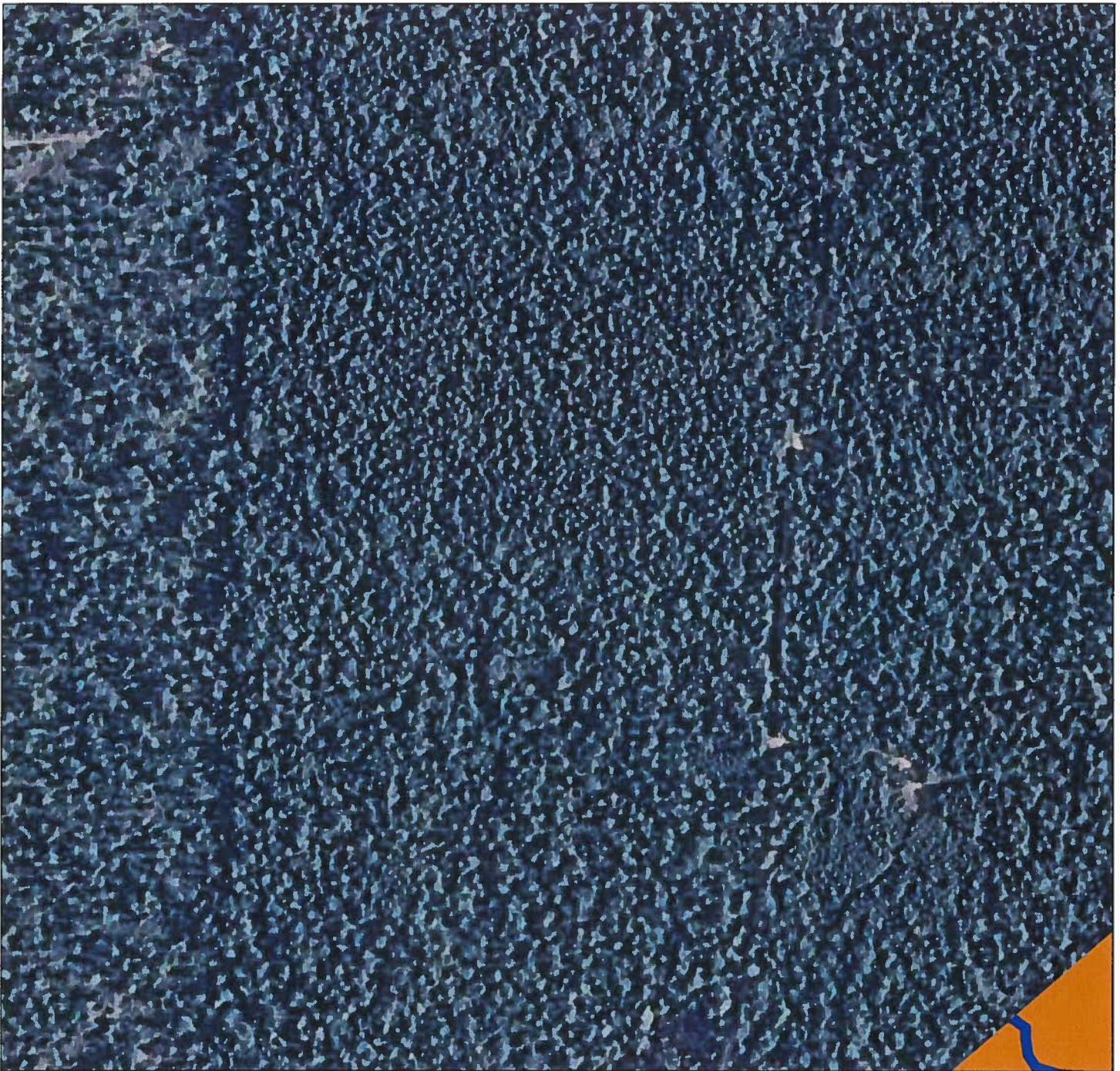
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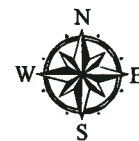
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


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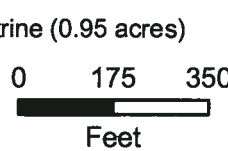
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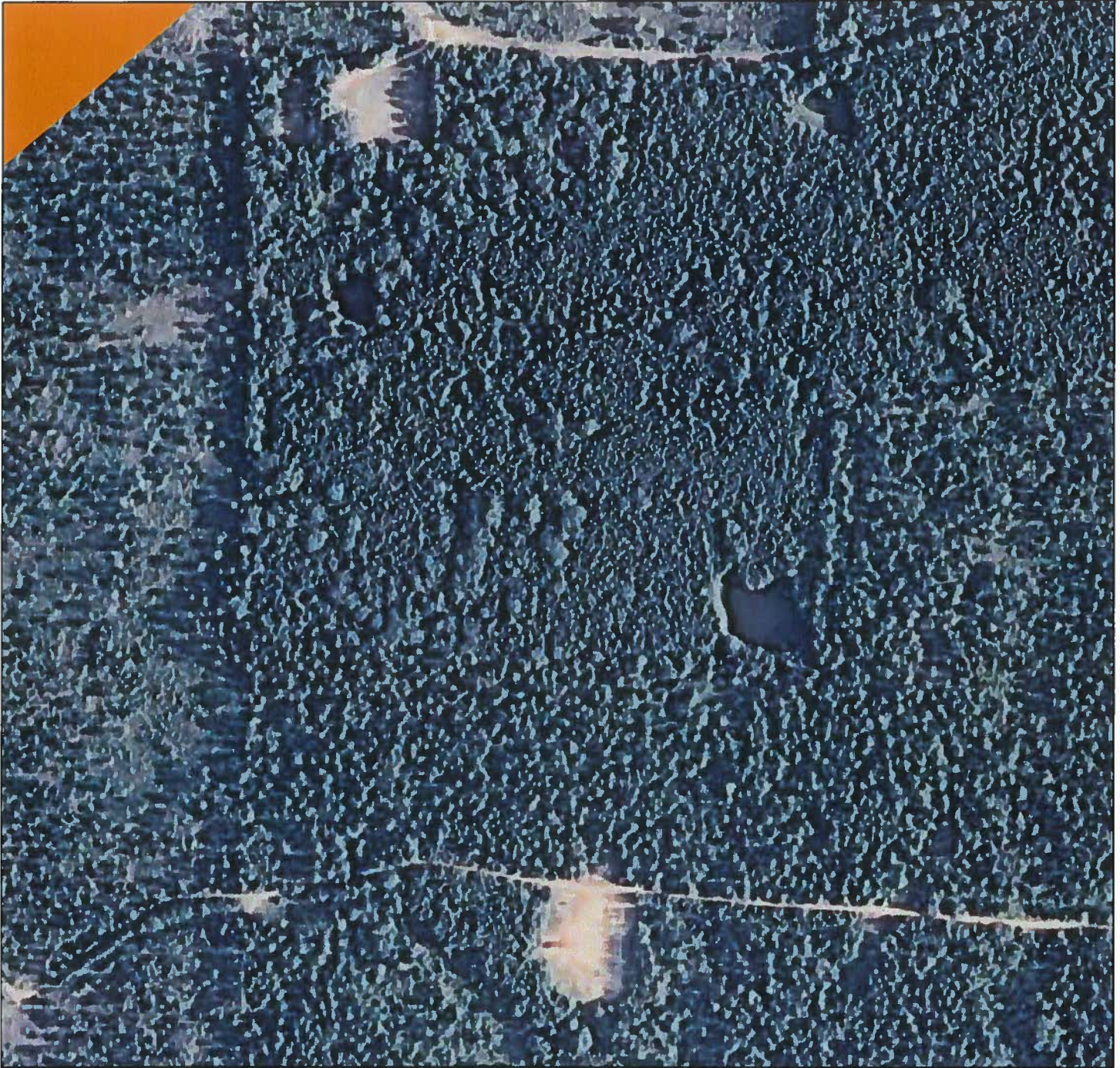
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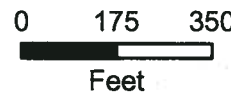
Legend

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-  Jurisdictional, POW, Open Water, Palustrine (7.19 acres)
-  Jurisdictional, PSS1, Broad-Leaved Deciduous, Scrub-Shrub, Palustrine (0.95 acres)
-  Jurisdictional, R2, Lower Perennial, Riverine (26,461.66 linear feet)
-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
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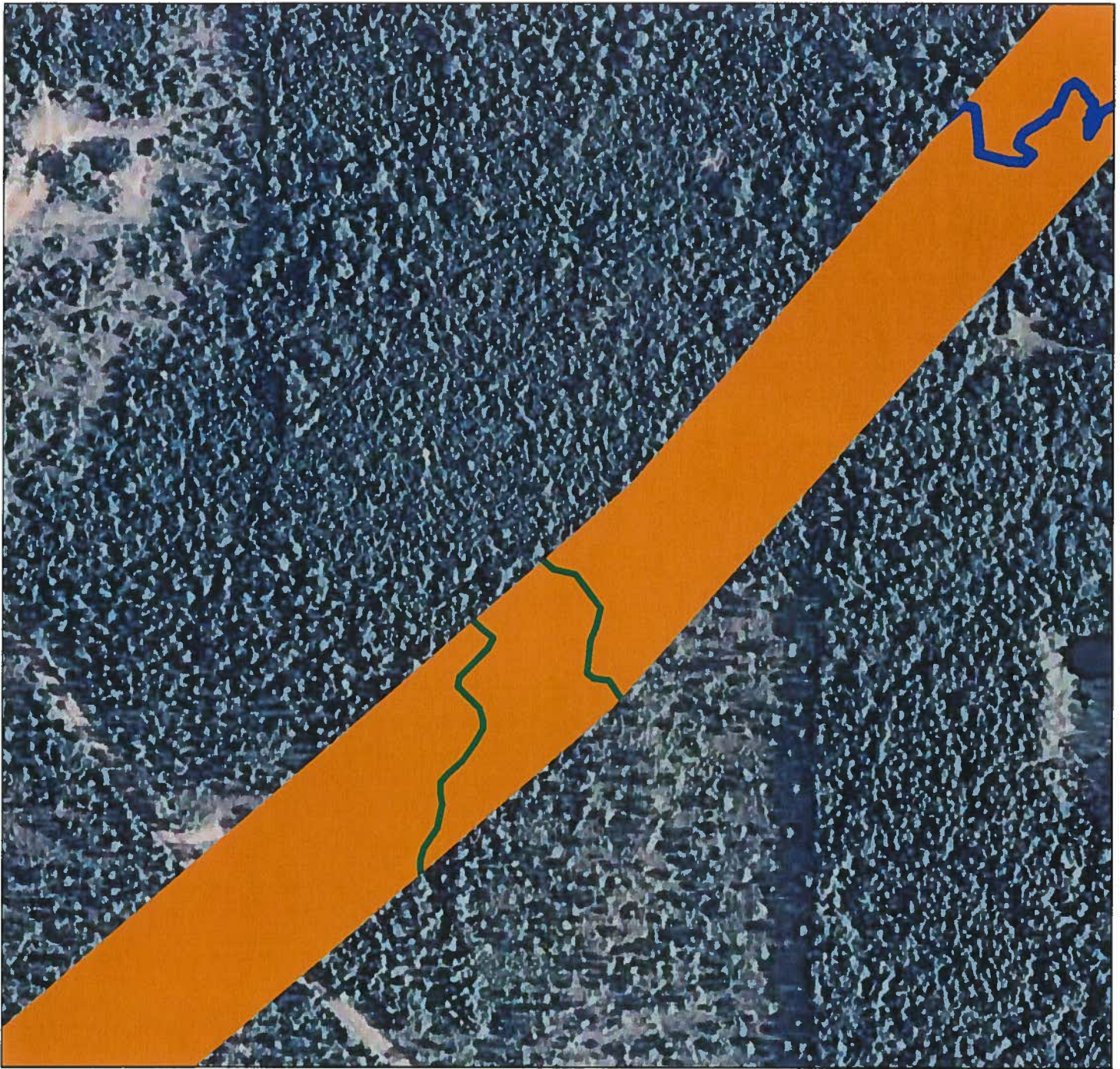
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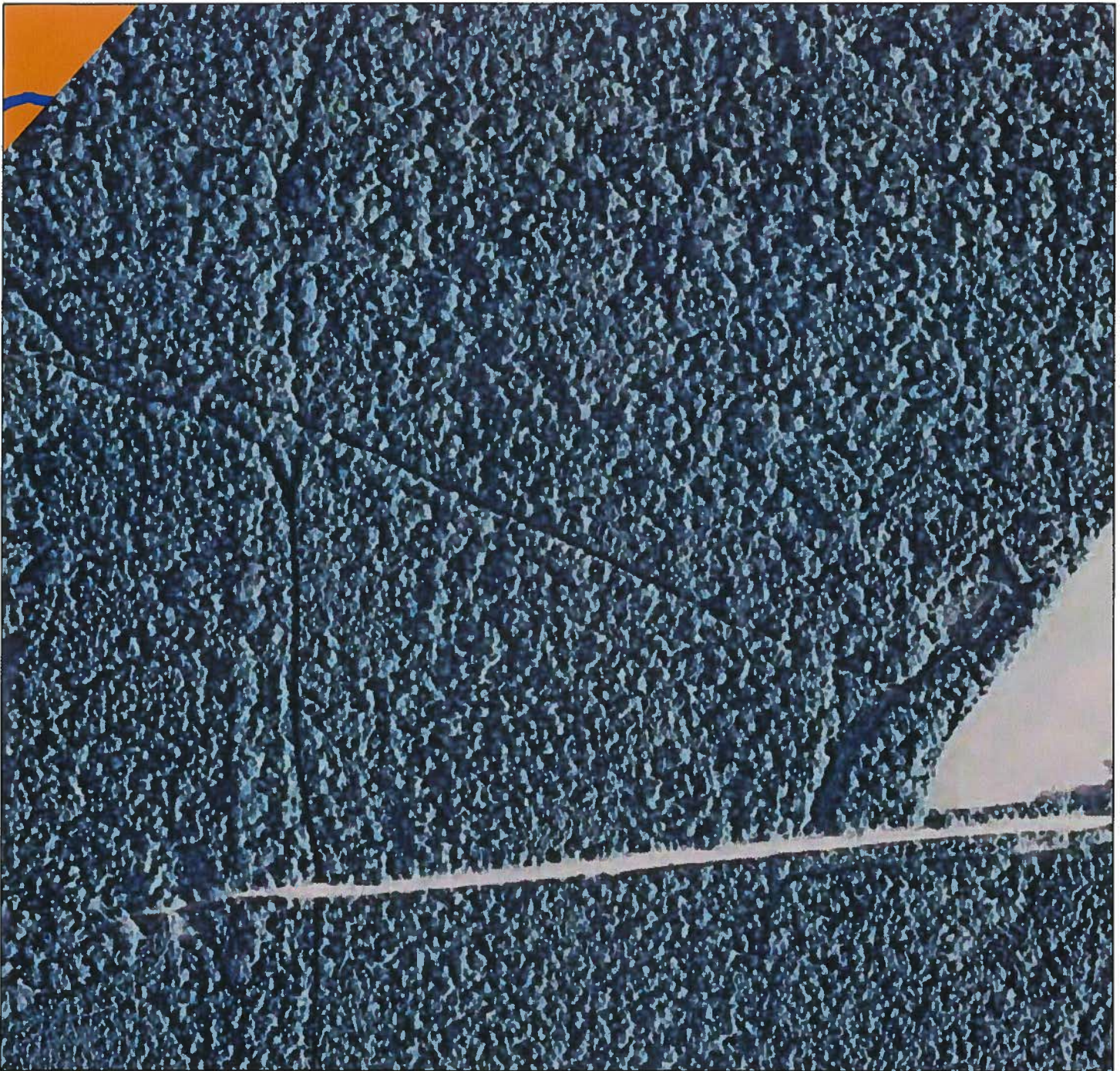
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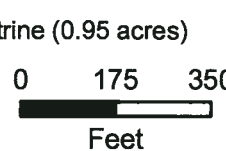
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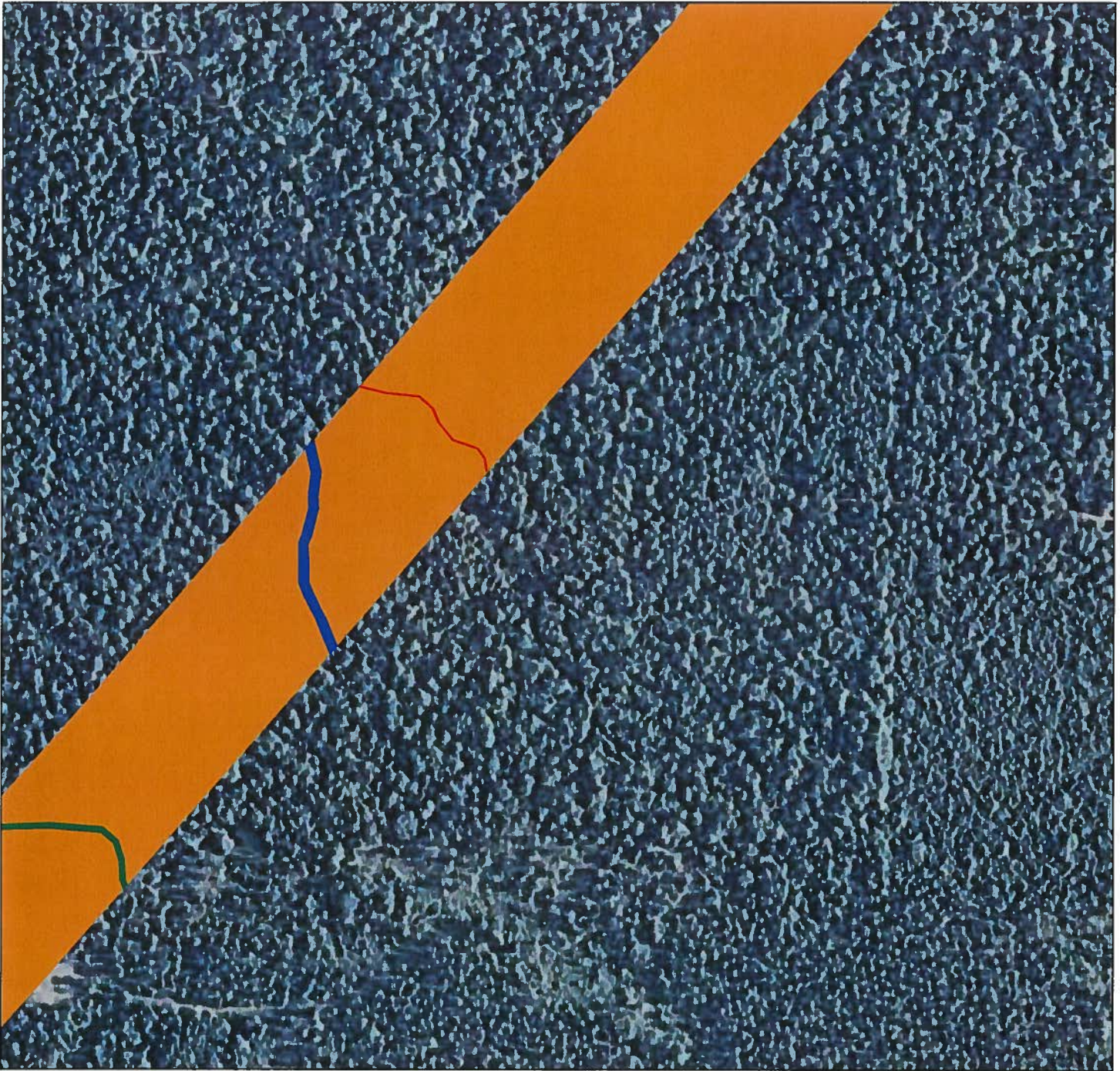
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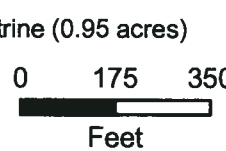
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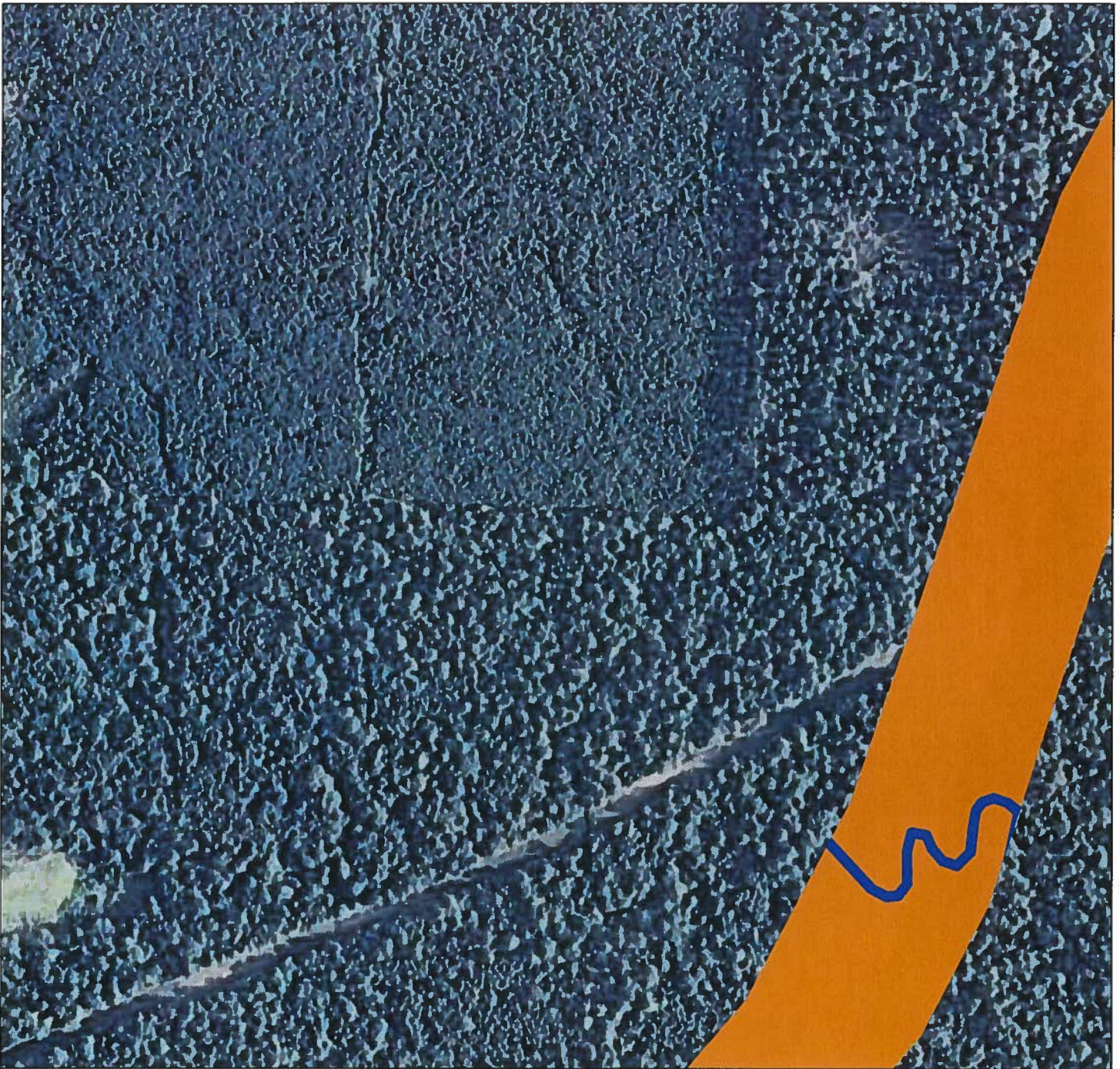
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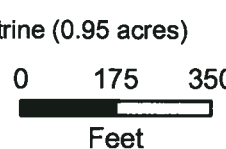
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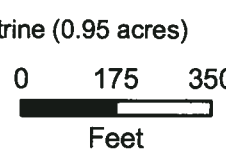
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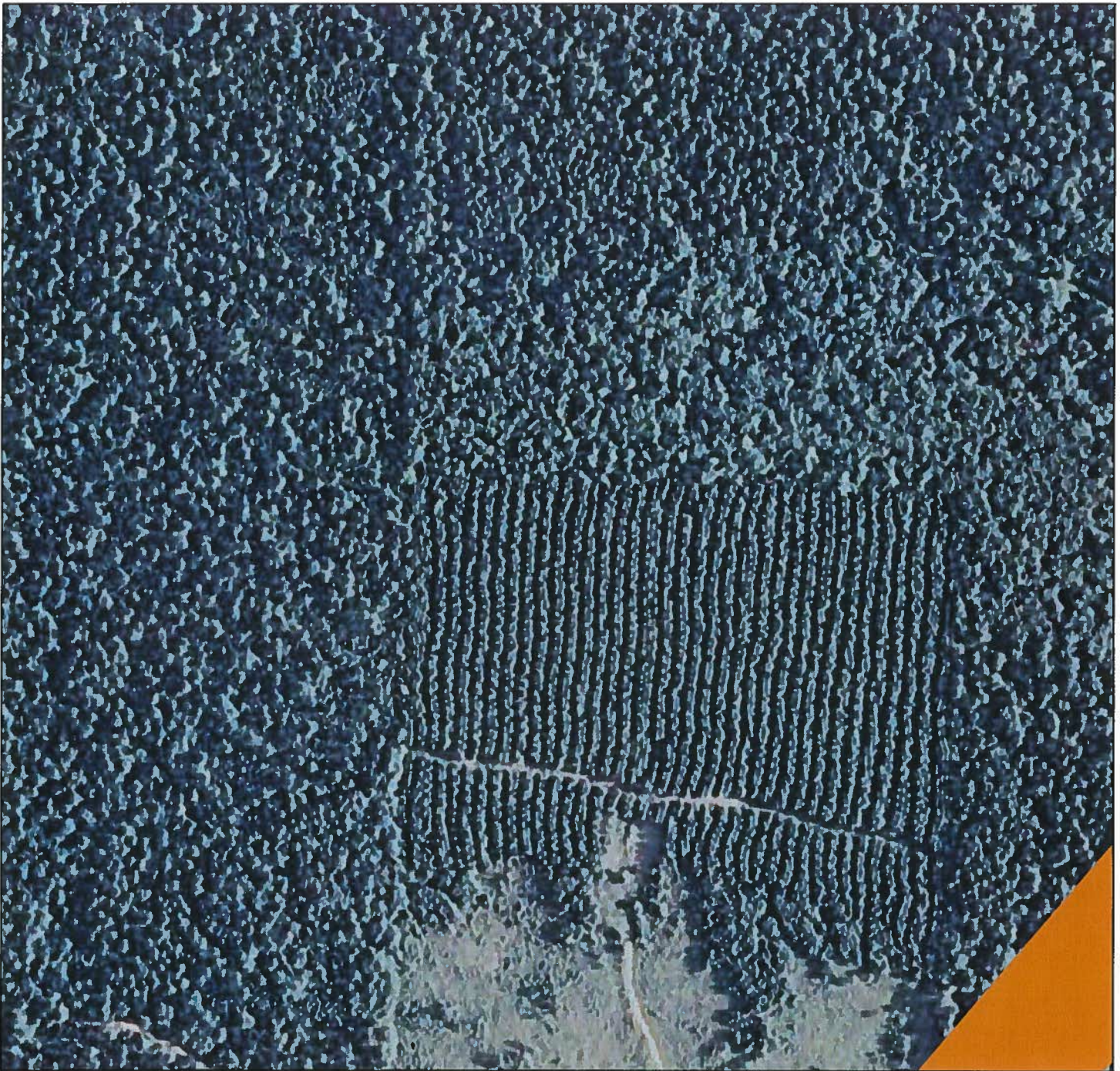
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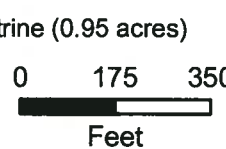
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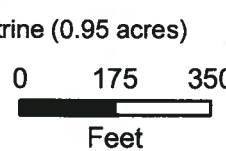
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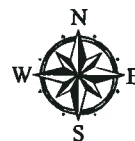
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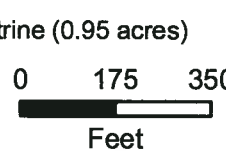
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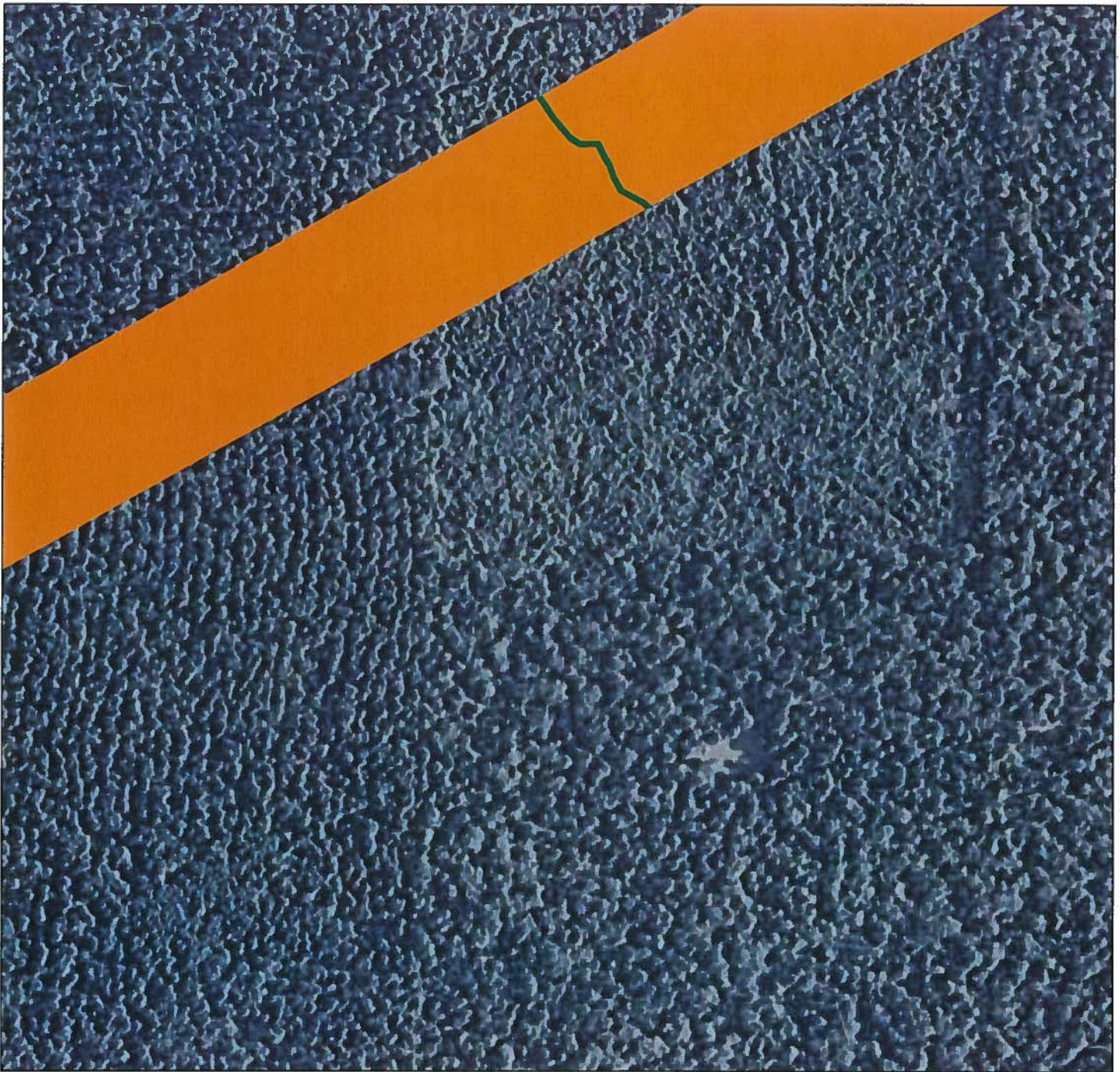
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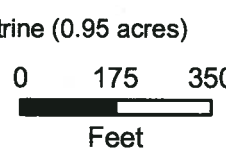
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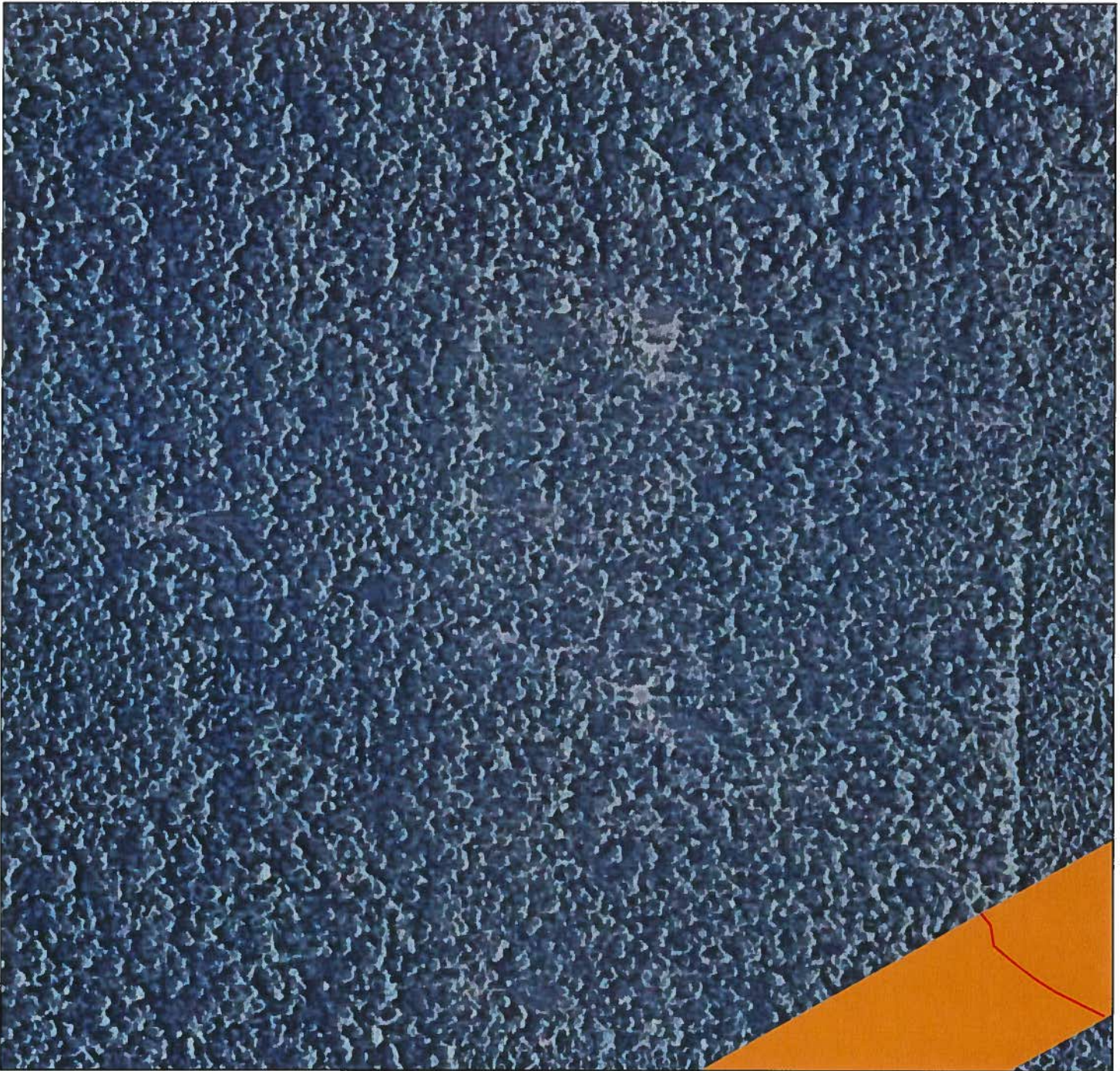
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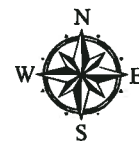
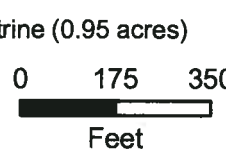
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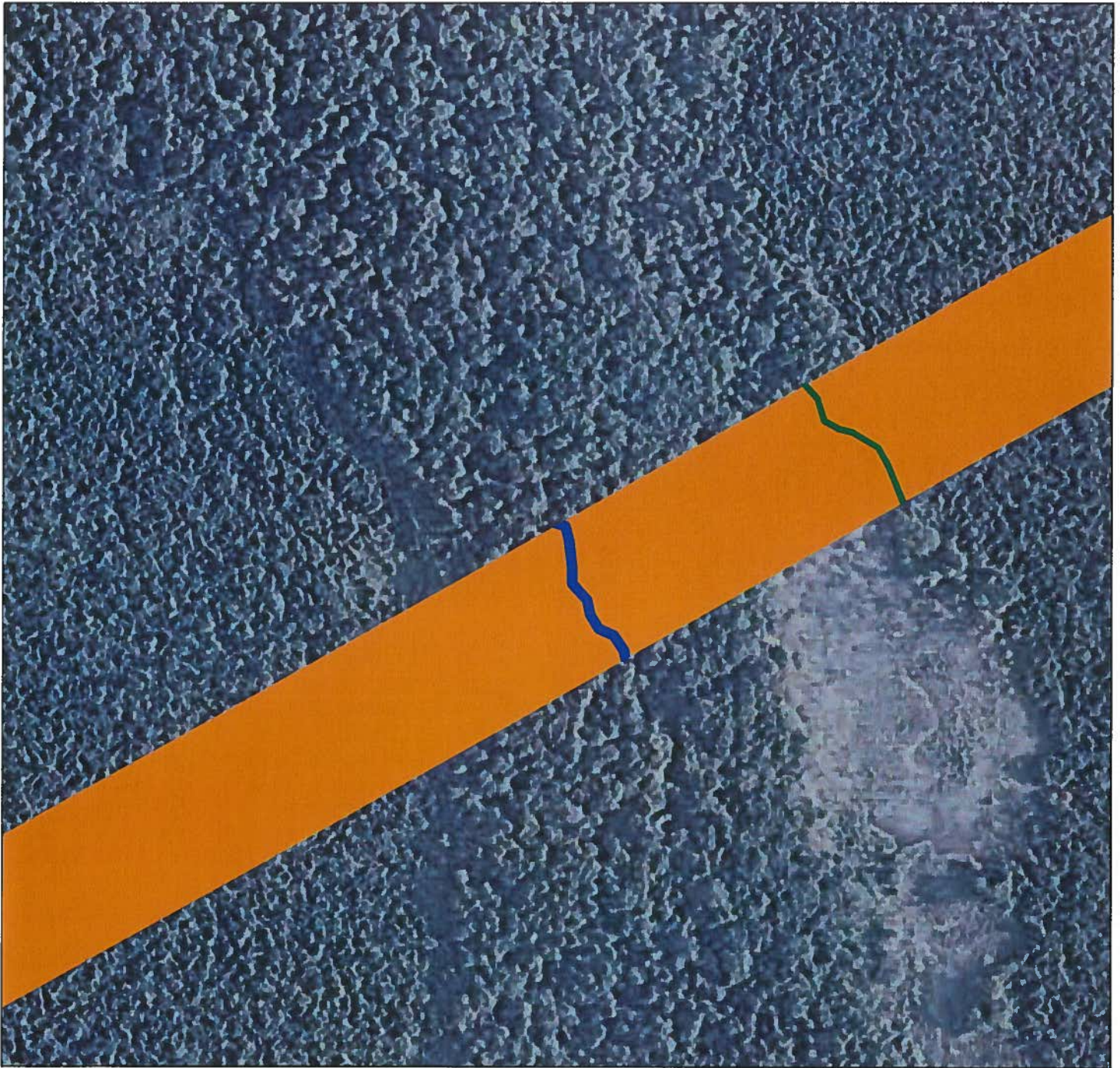
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-  Jurisdictional, PSS1, Broad-Leaved Deciduous, Scrub-Shrub, Palustrine (0.95 acres)
-  Jurisdictional, R2, Lower Perennial, Riverine (26,461.66 linear feet)
-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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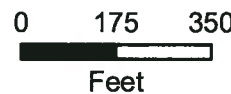
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This map, which is part of a series, must be depicted in color. All totals are preliminary estimates.

-  Jurisdictional, PEM, Palustrine Emergent (12.46 acres)
-  Jurisdictional, PFO1, Broad-Leaved Deciduous, Forested, Palustrine (111.99 acres)
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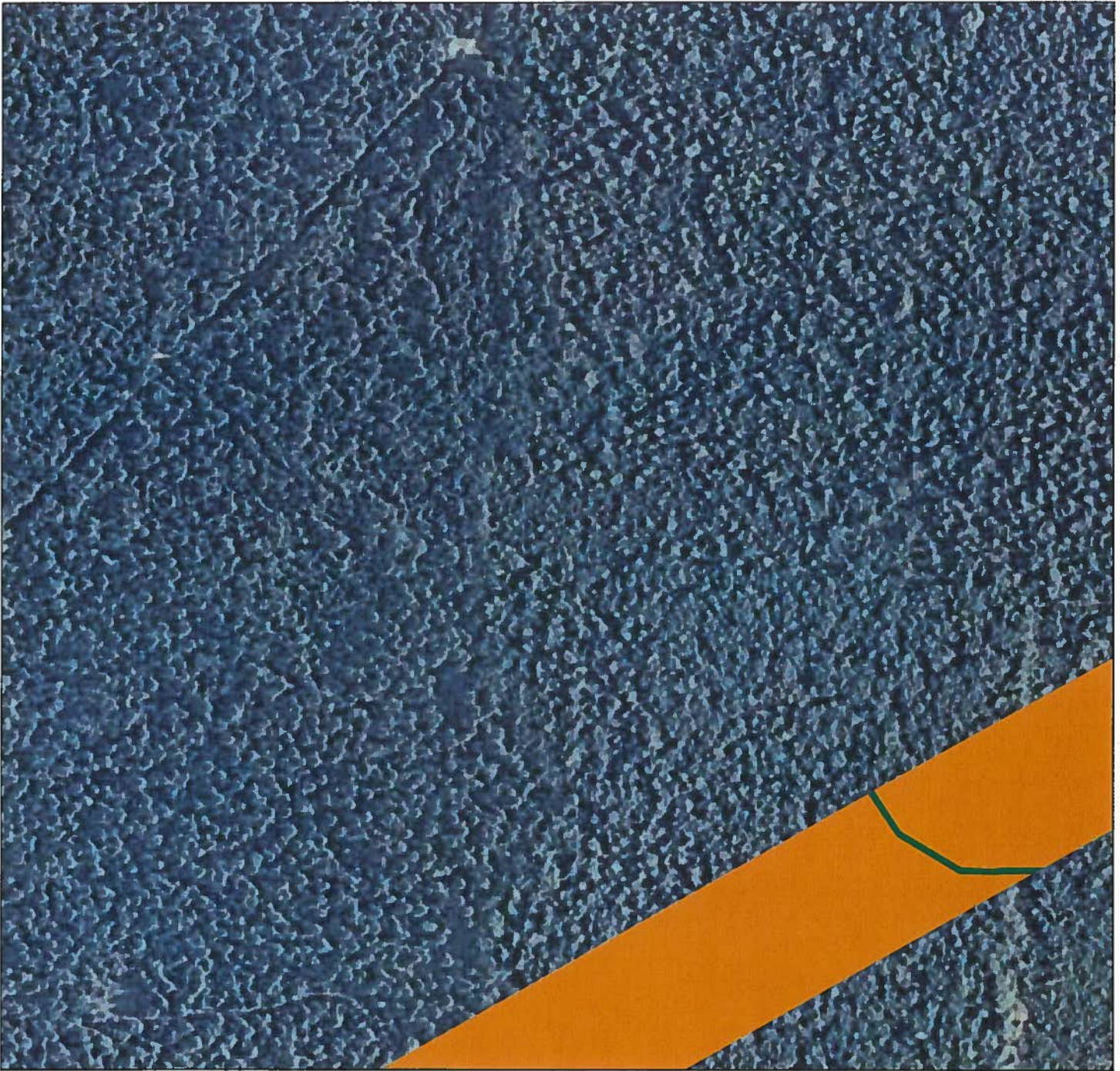
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


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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

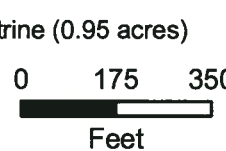
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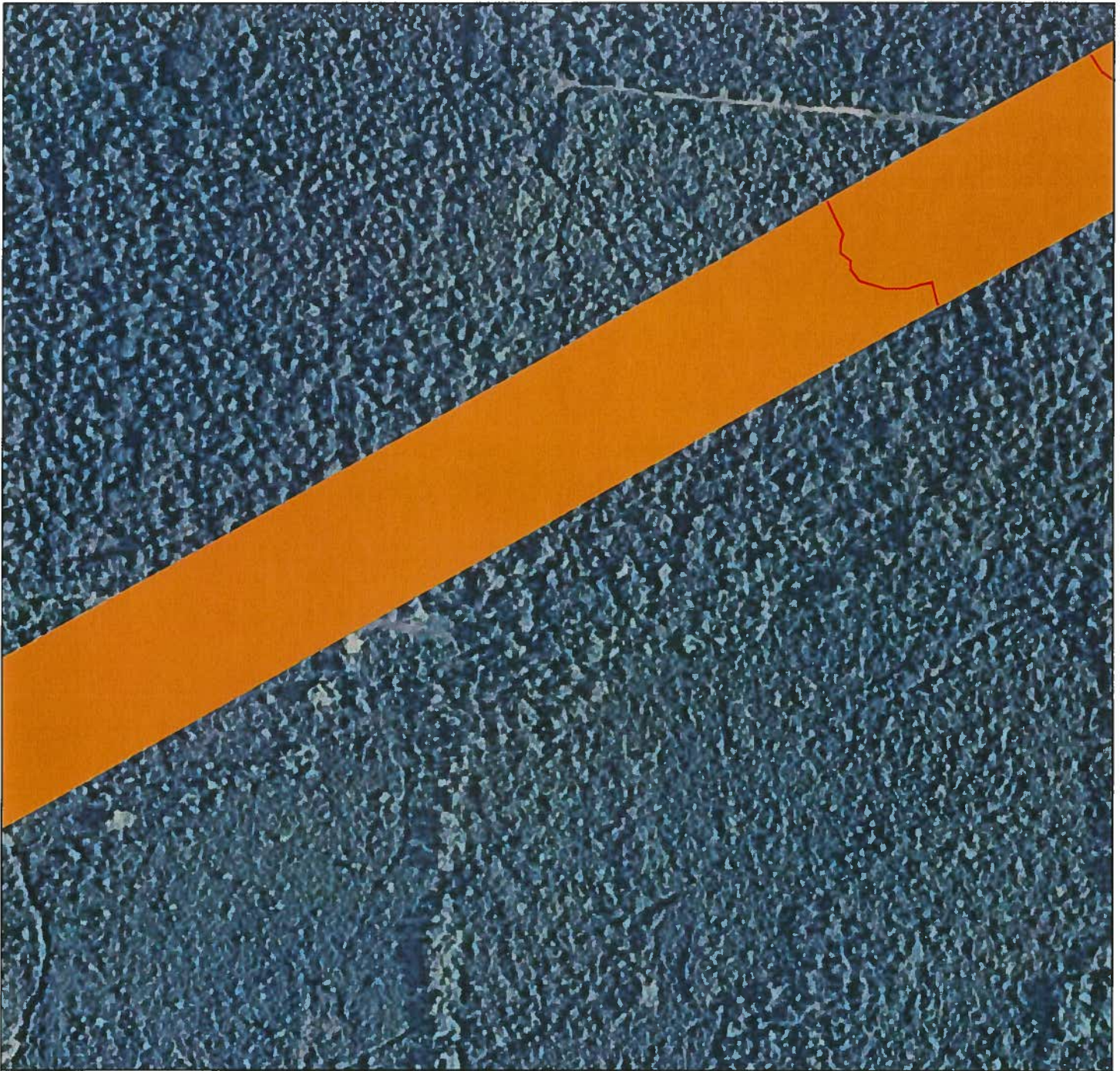
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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

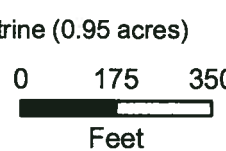
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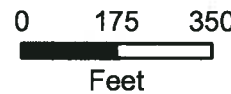
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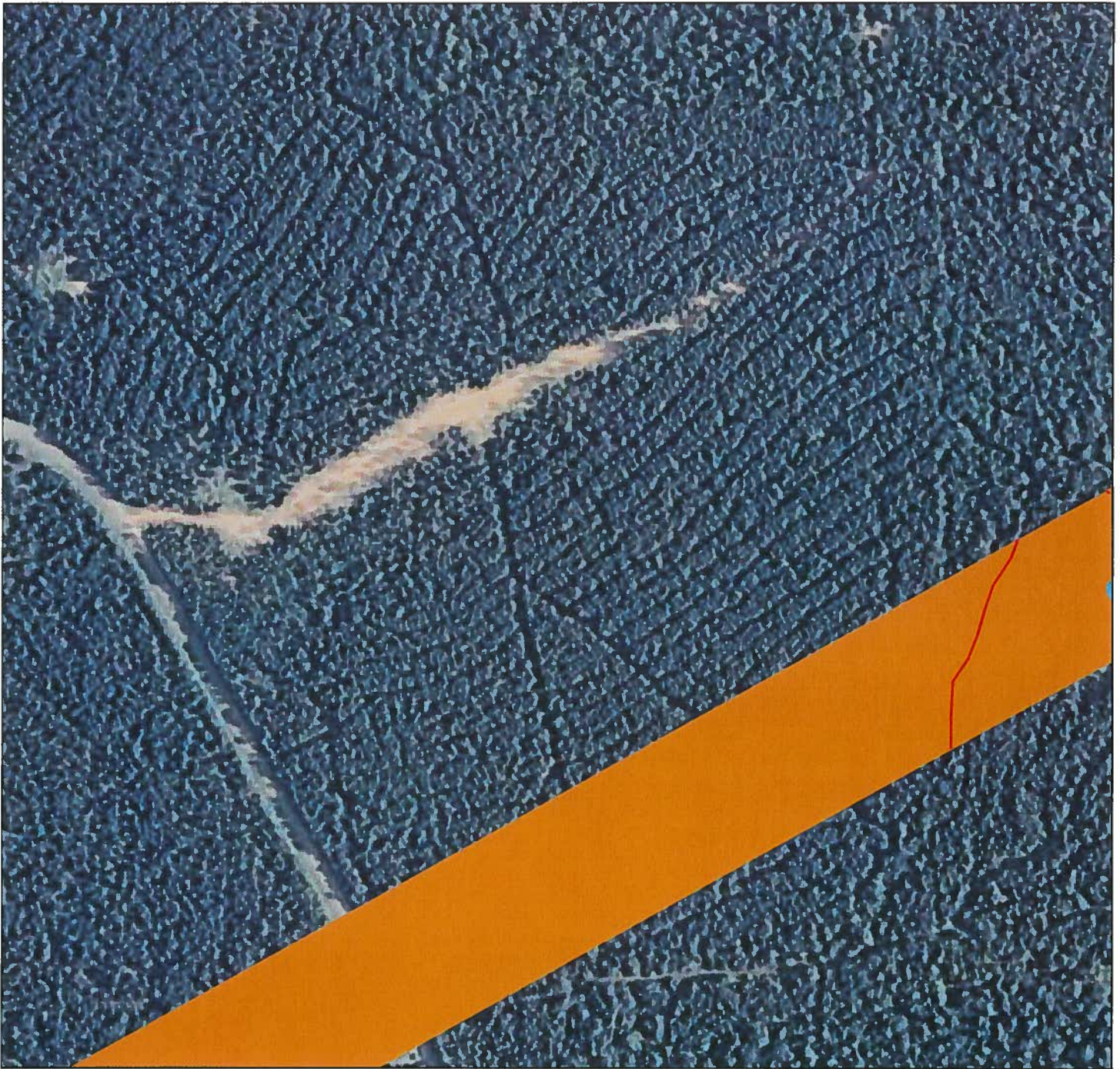
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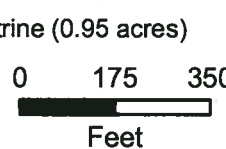
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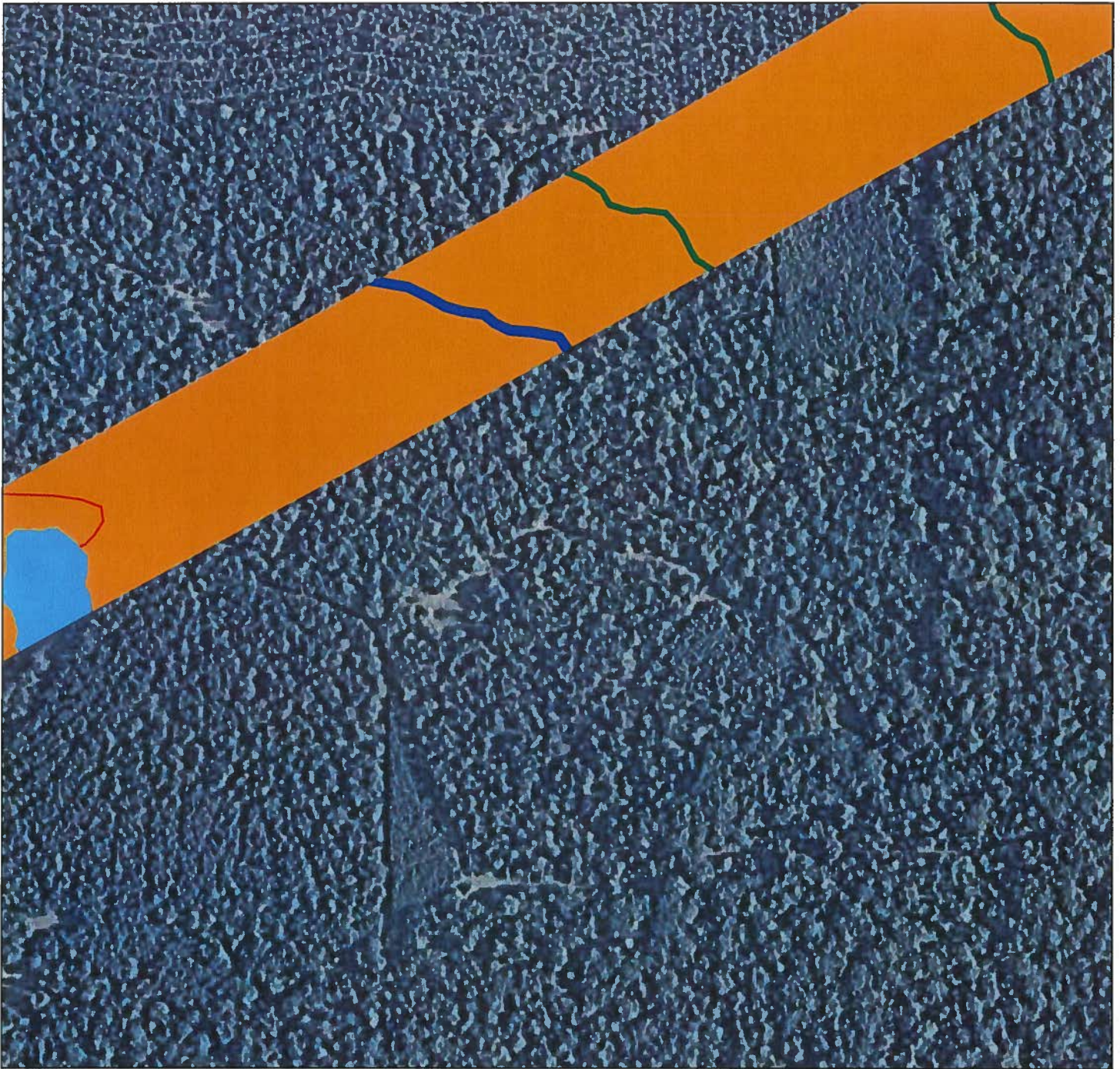
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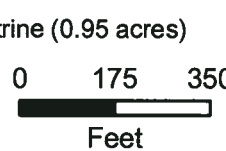
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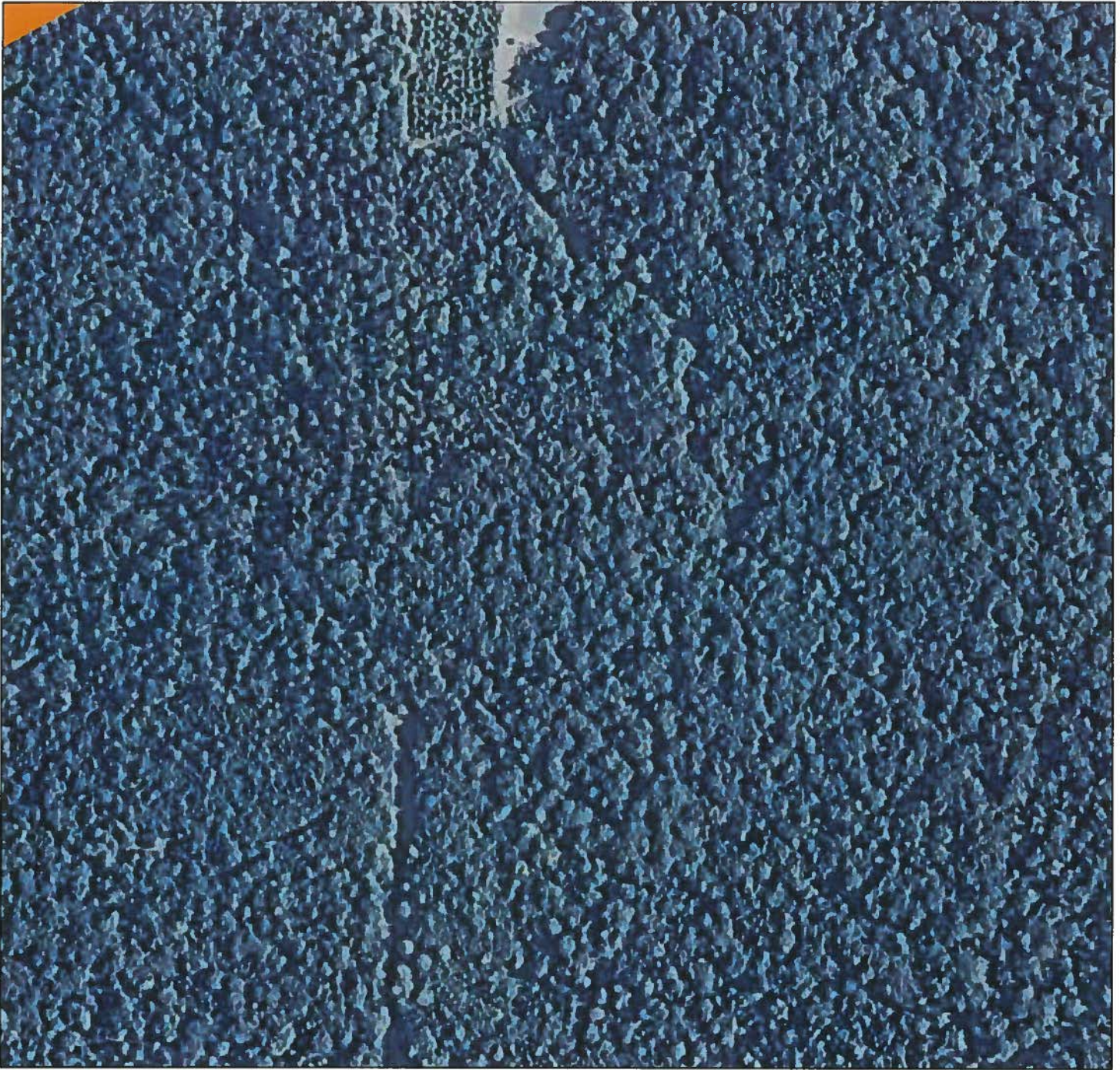
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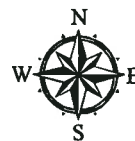
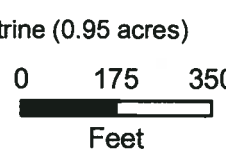
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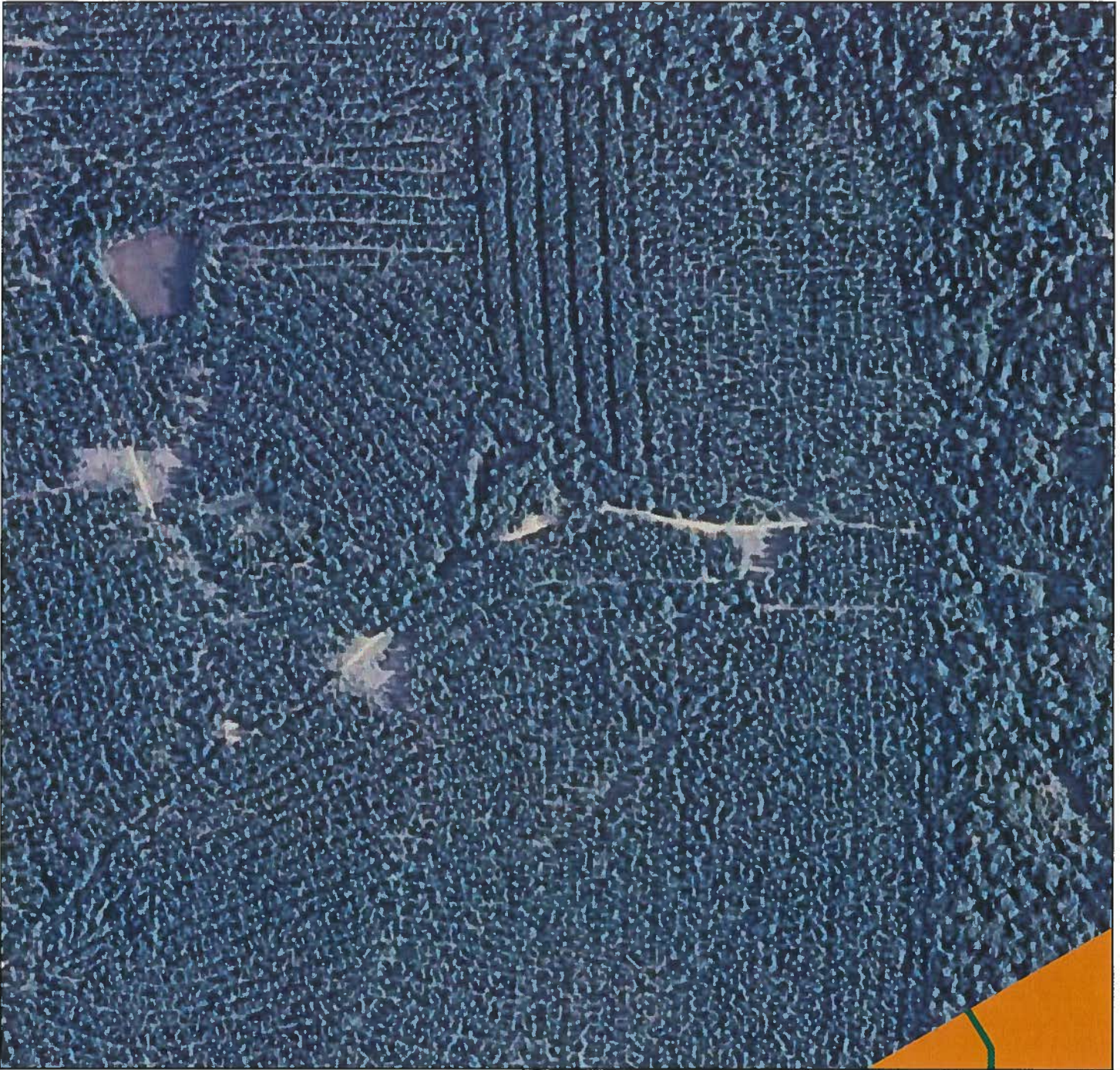
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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

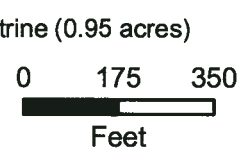
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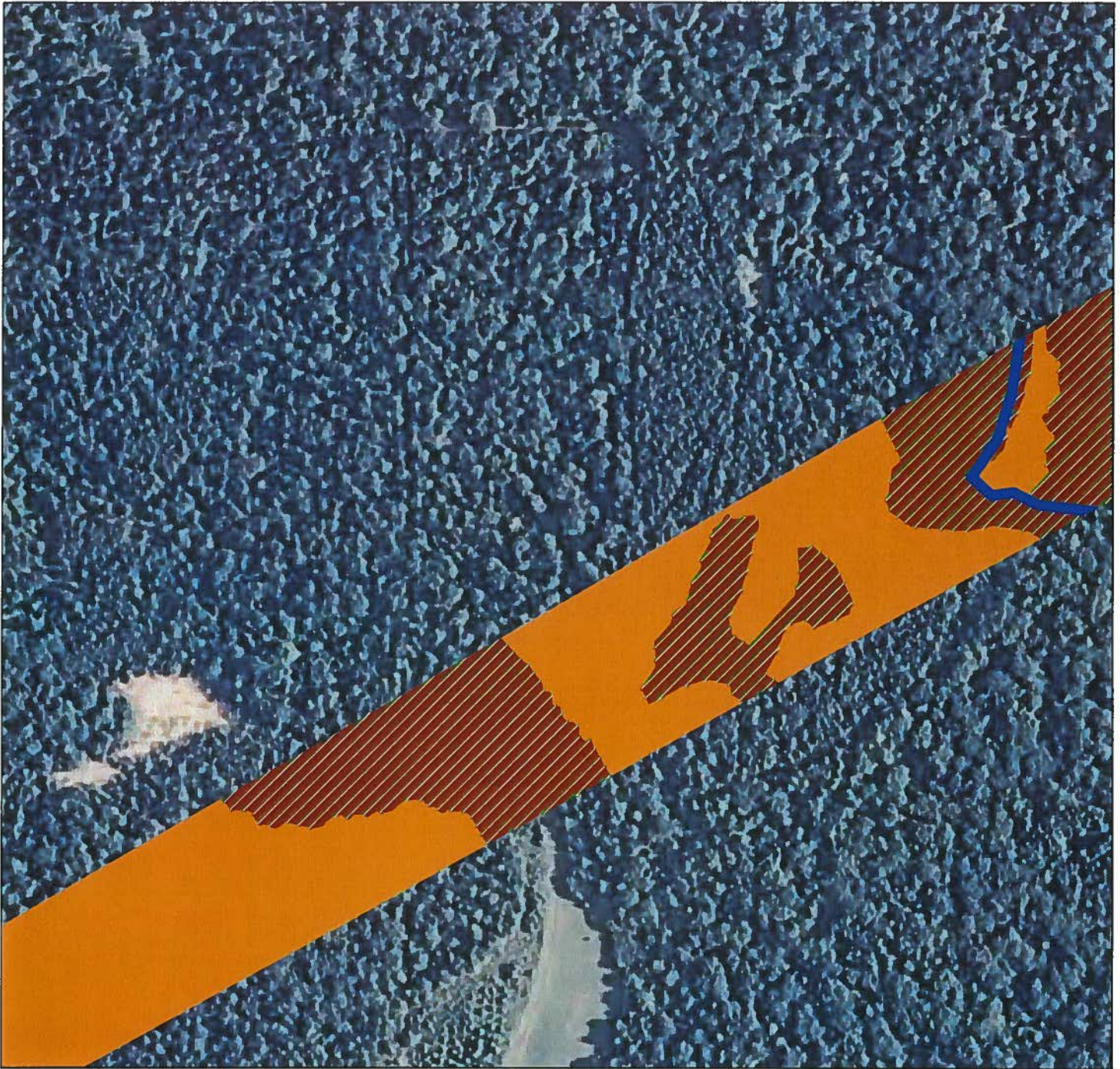
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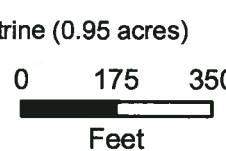
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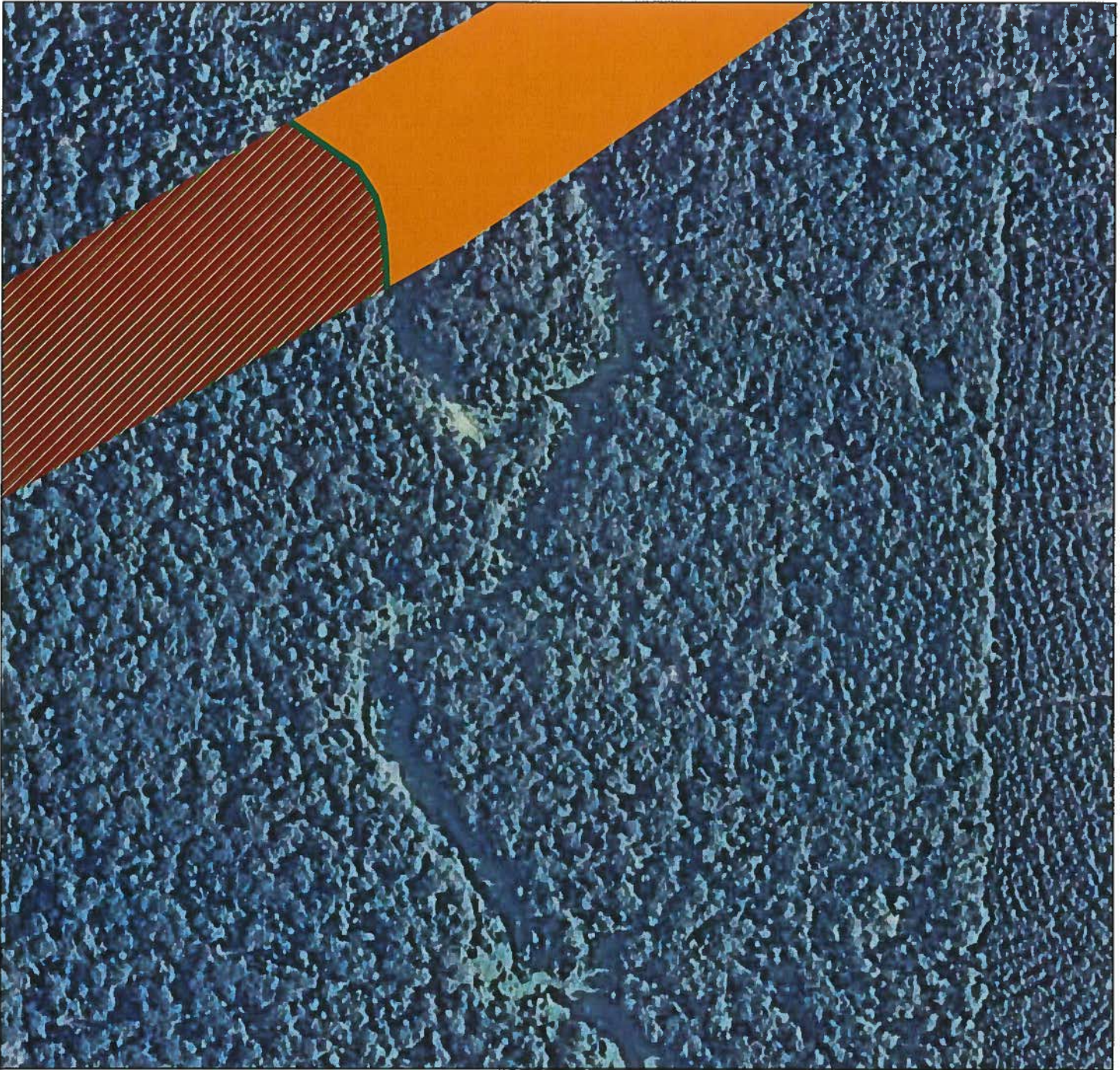
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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

Legend

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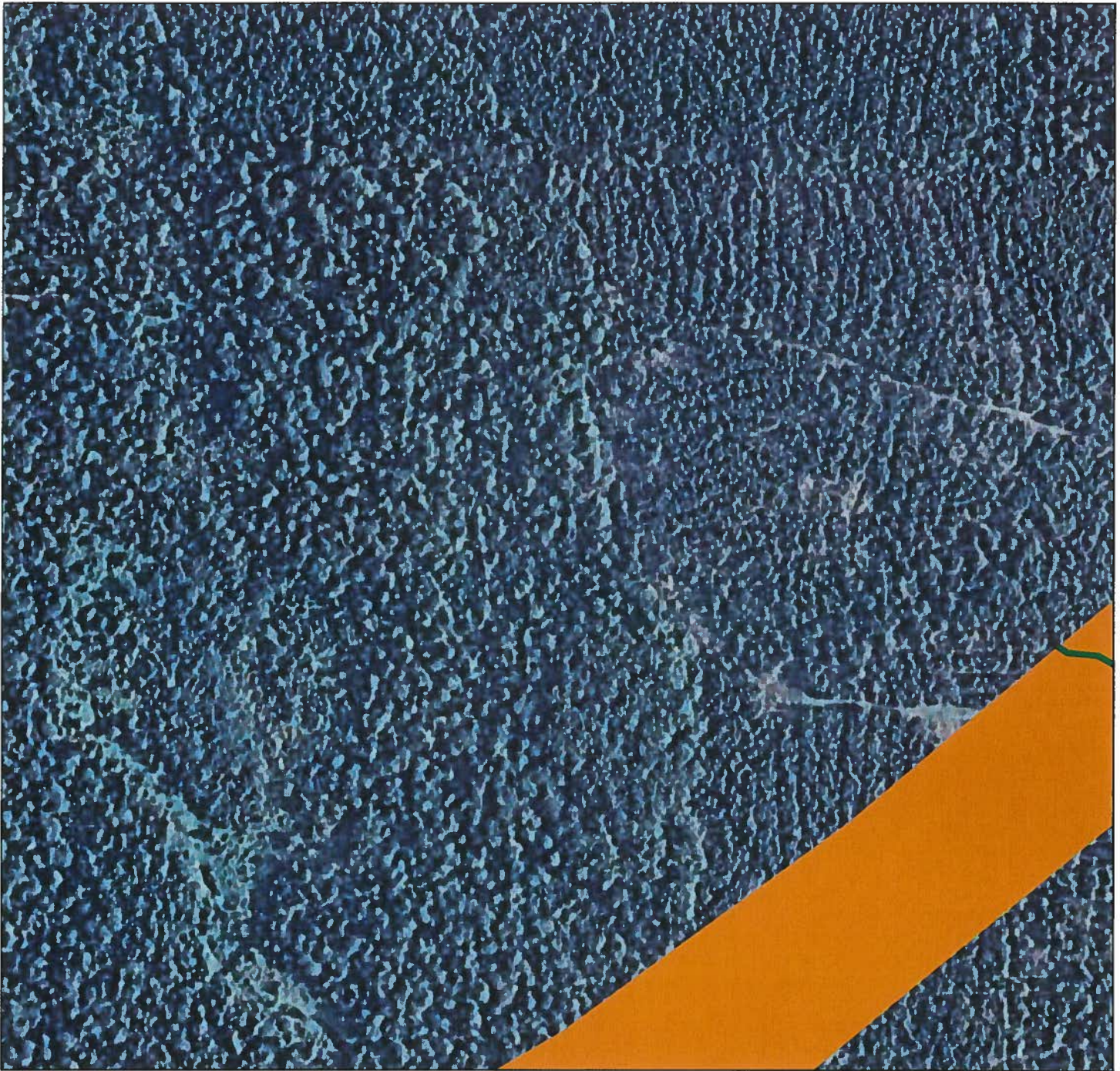
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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

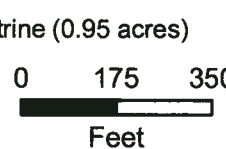
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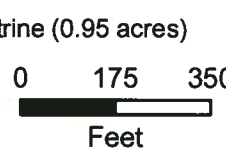
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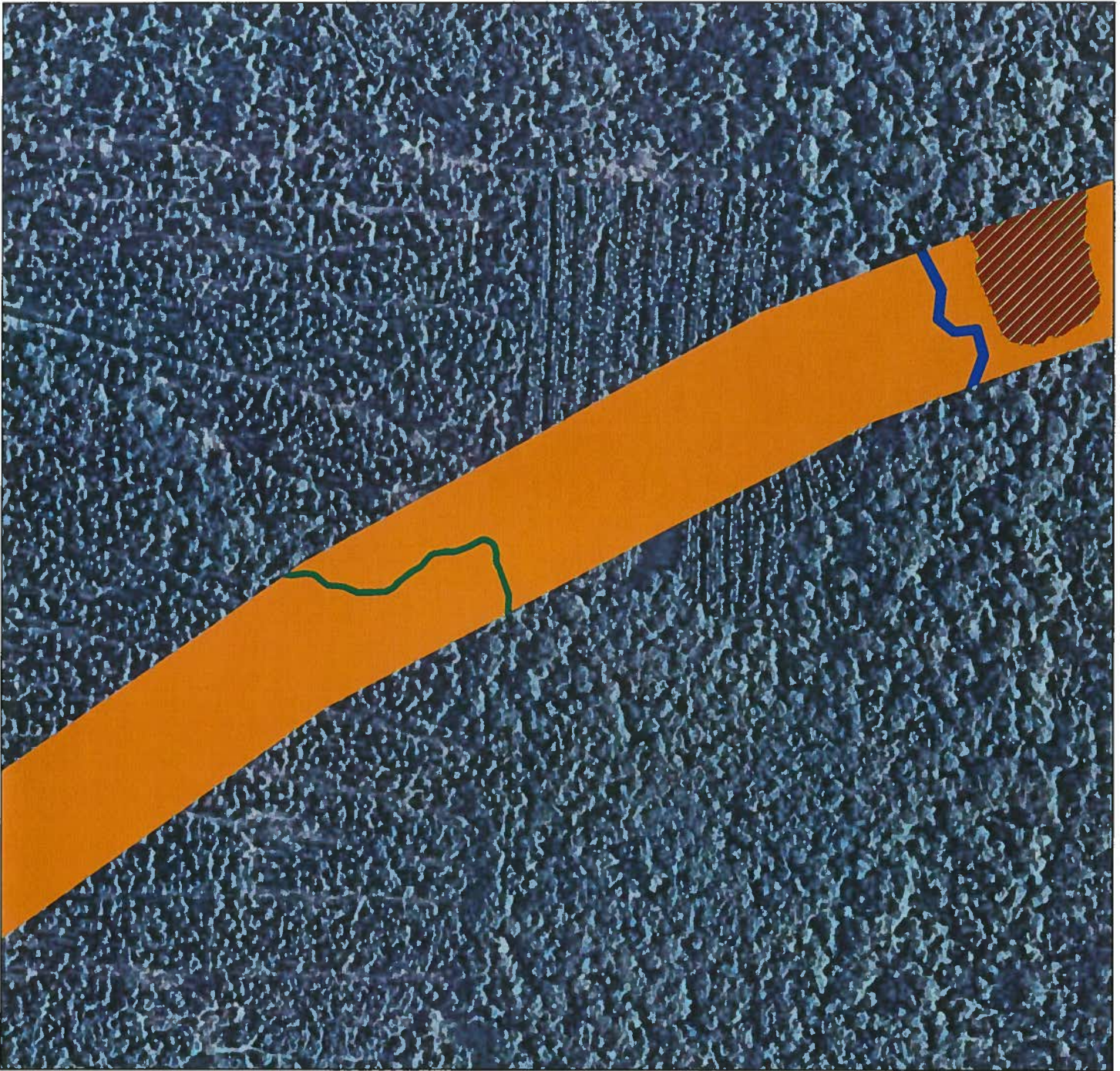
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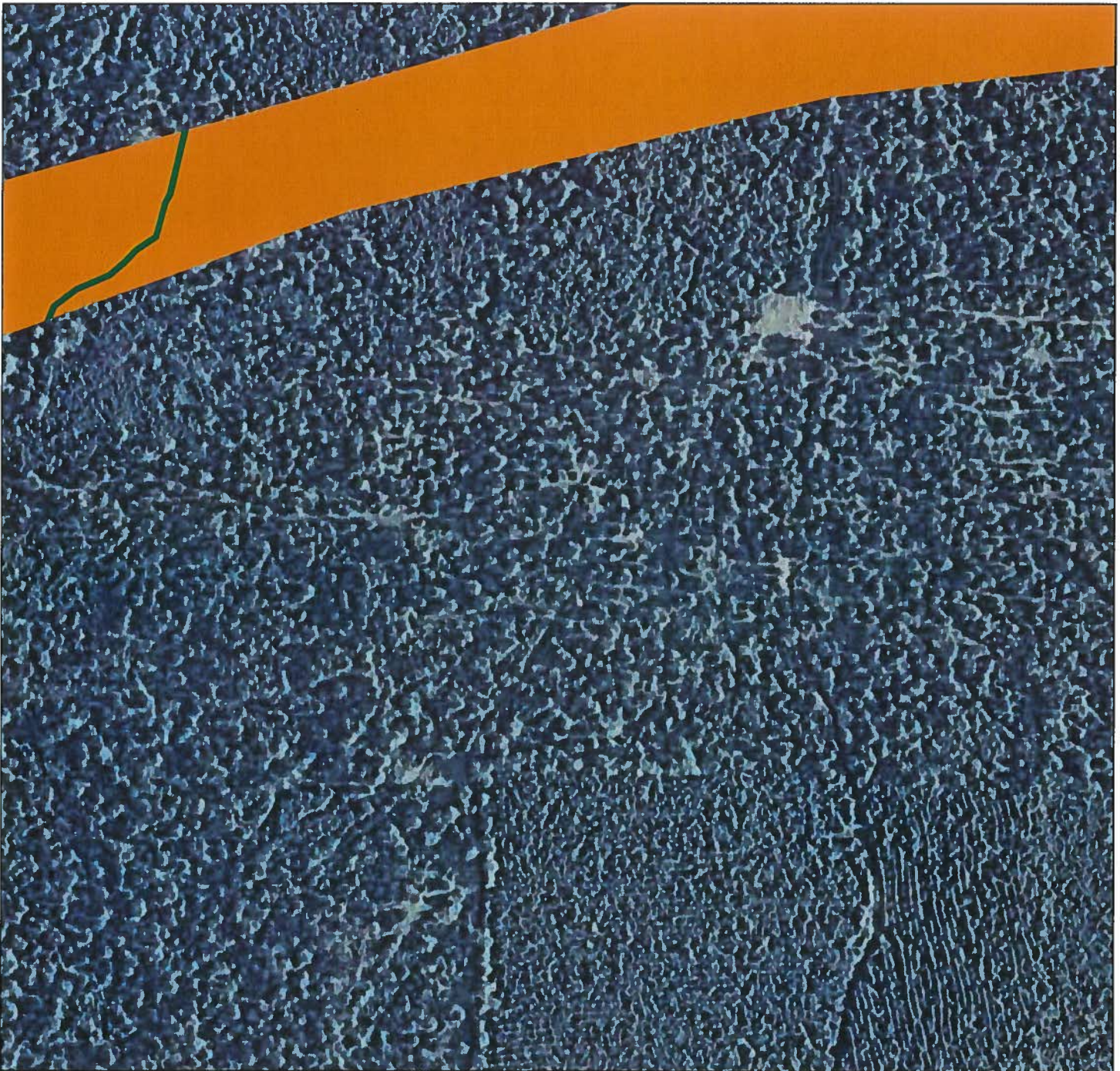
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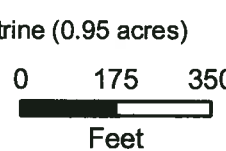
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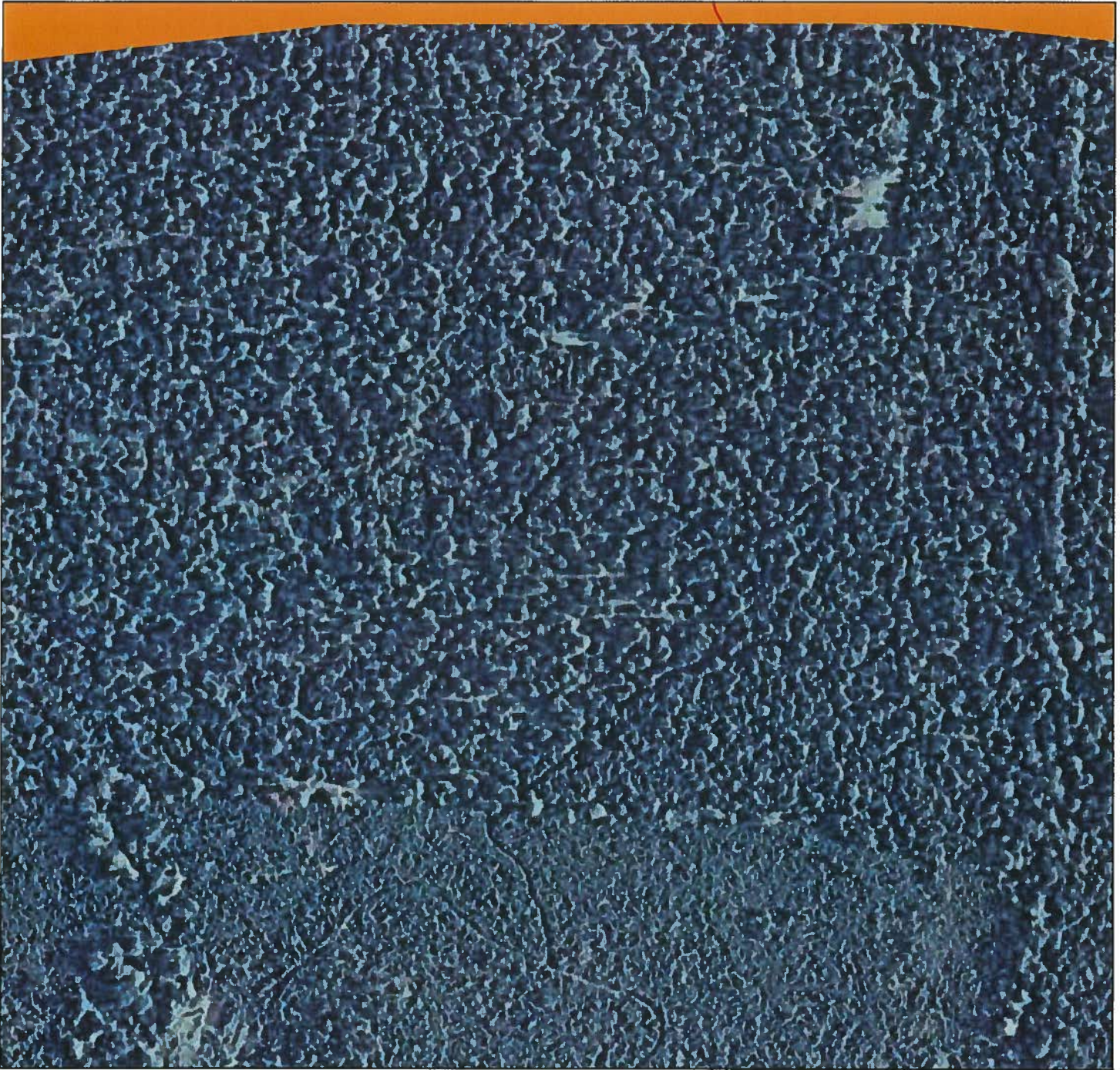
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Legend

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MVK-2003-568, Preliminary Jurisdictional Determination (for planning purposes)

Legend

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-  Jurisdictional, R2, Lower Perennial, Riverine (26,461.66 linear feet)
-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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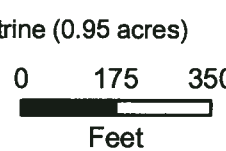
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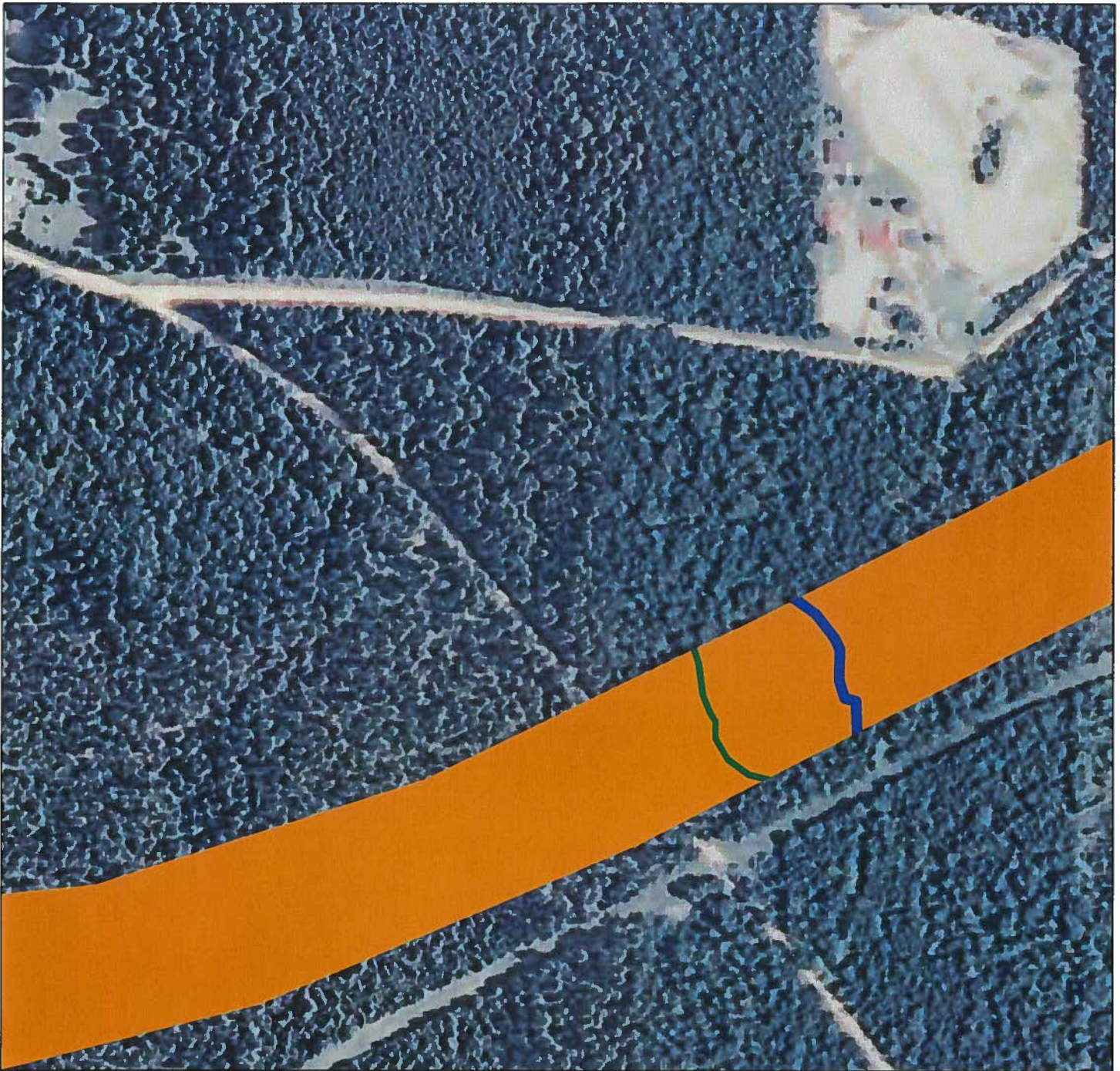
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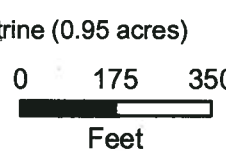
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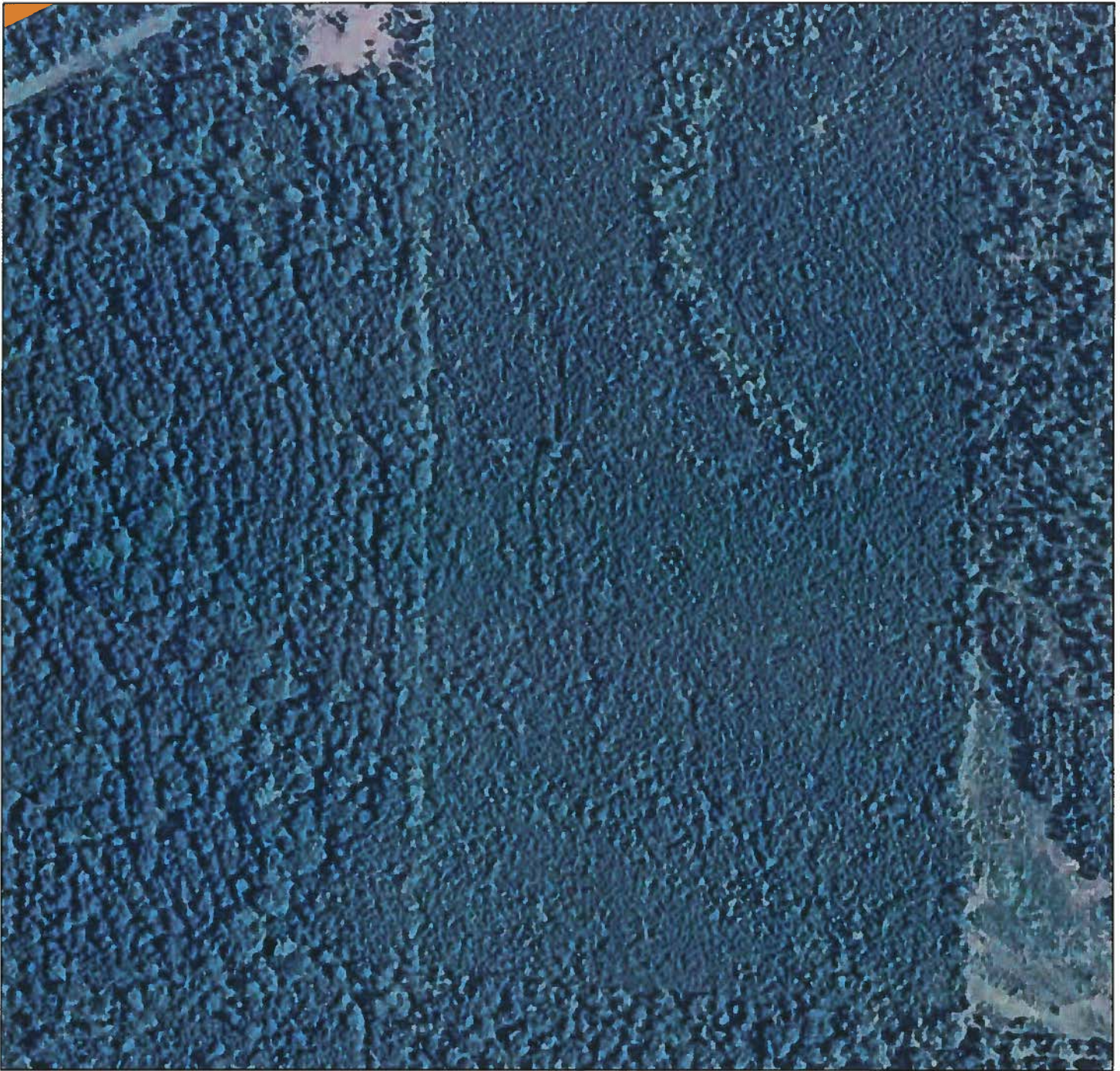
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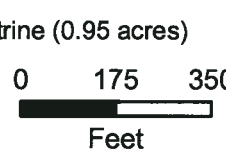
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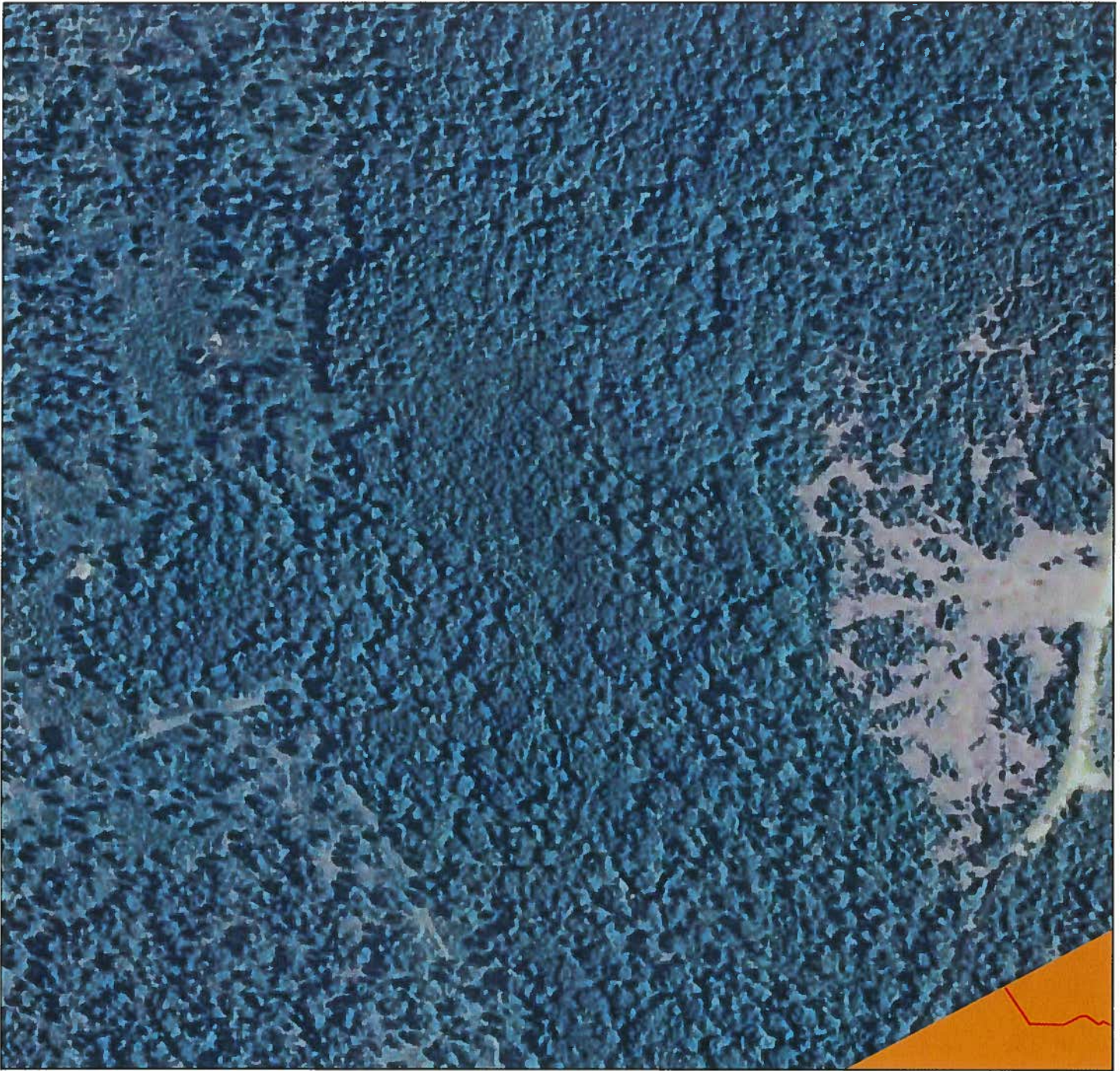
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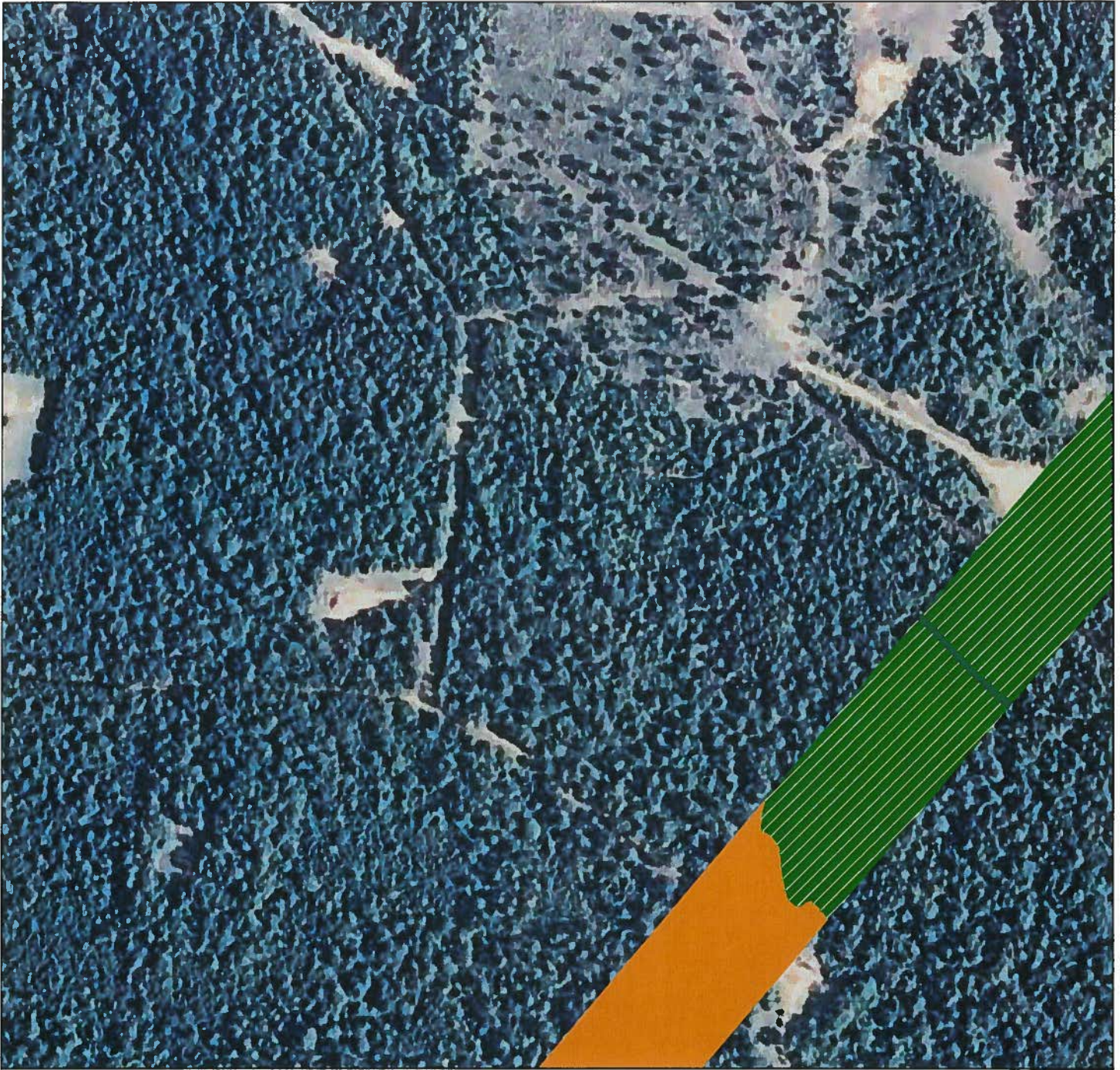
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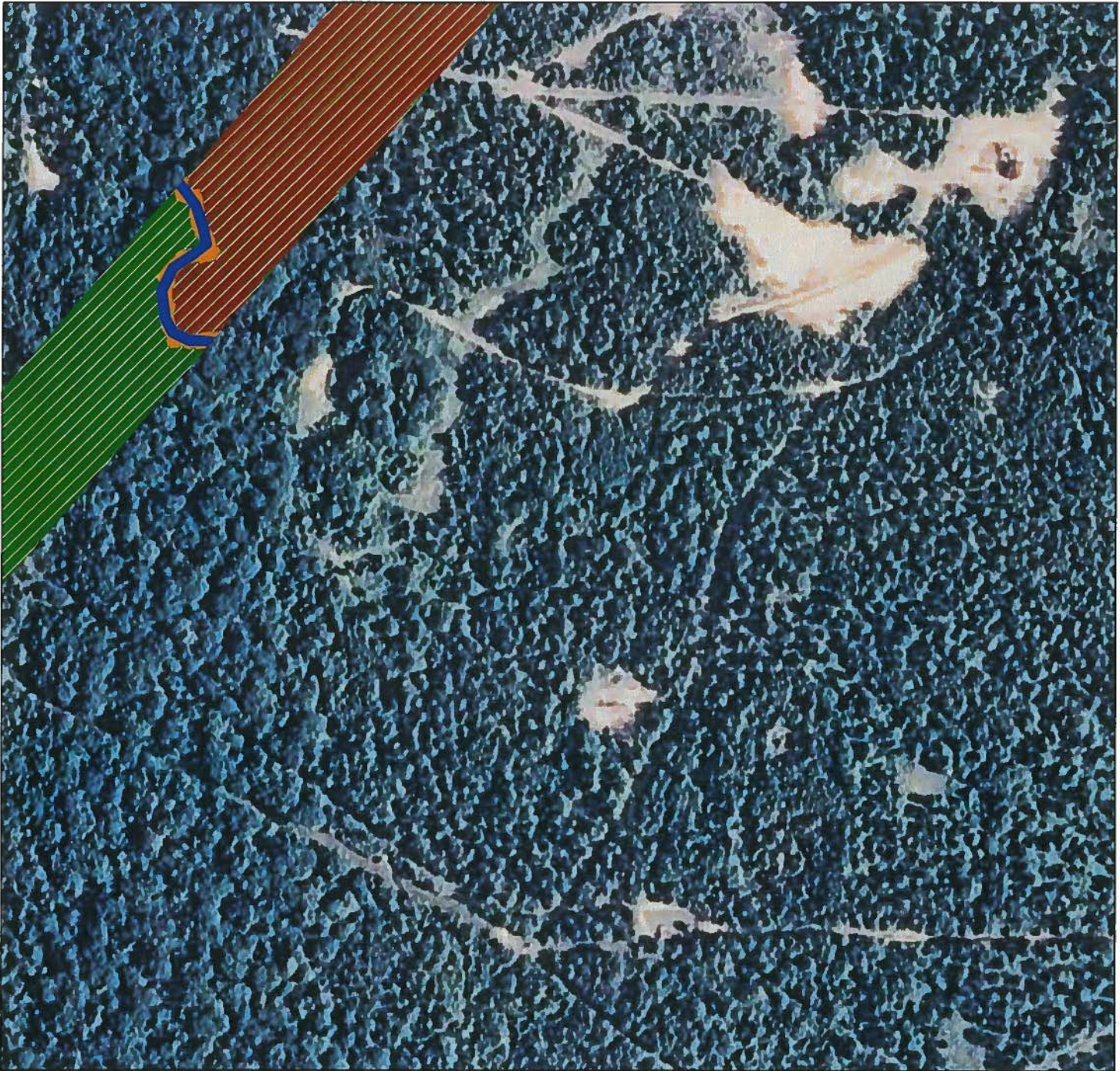
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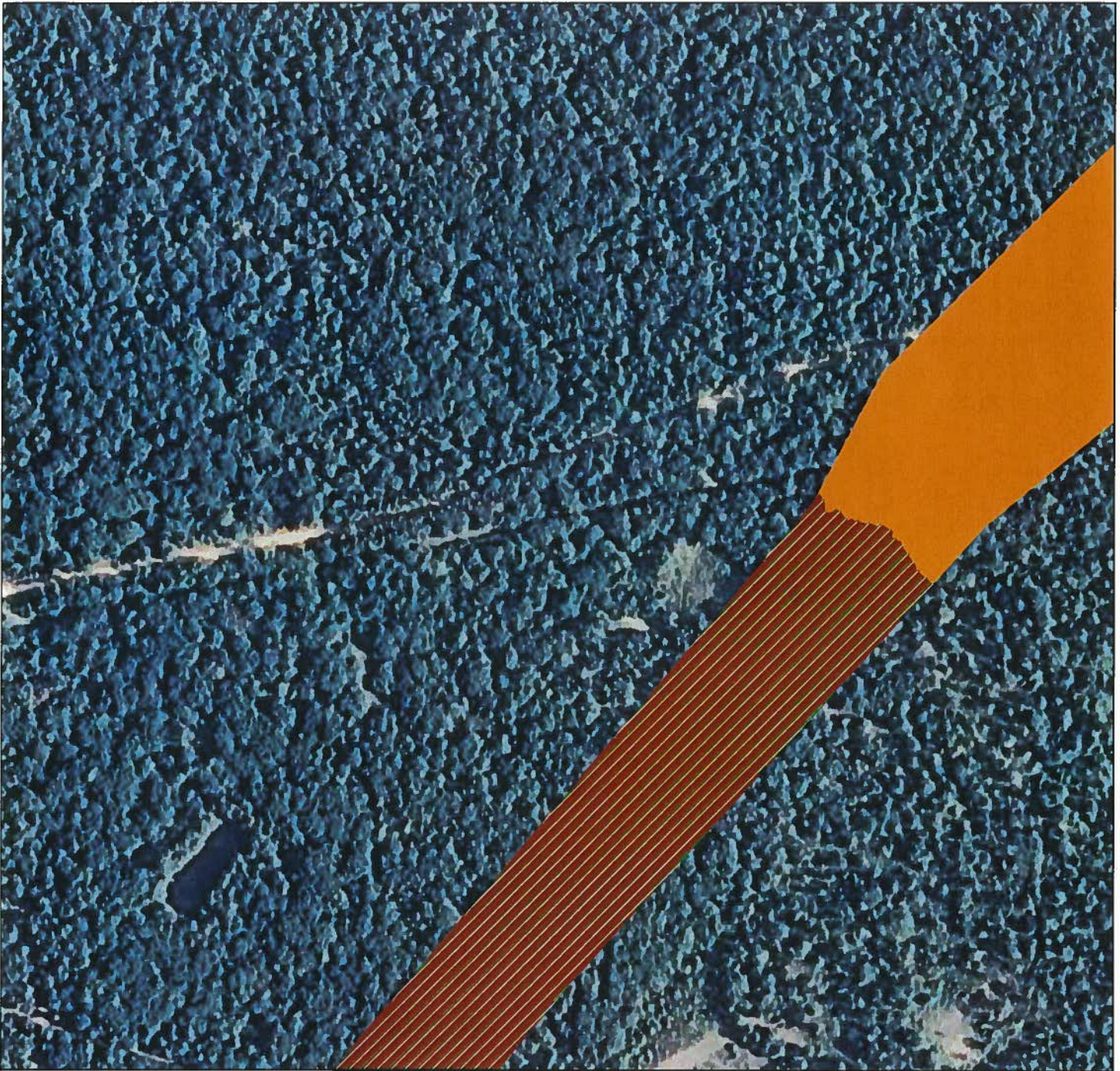
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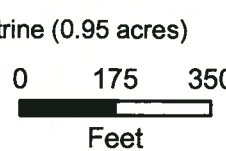
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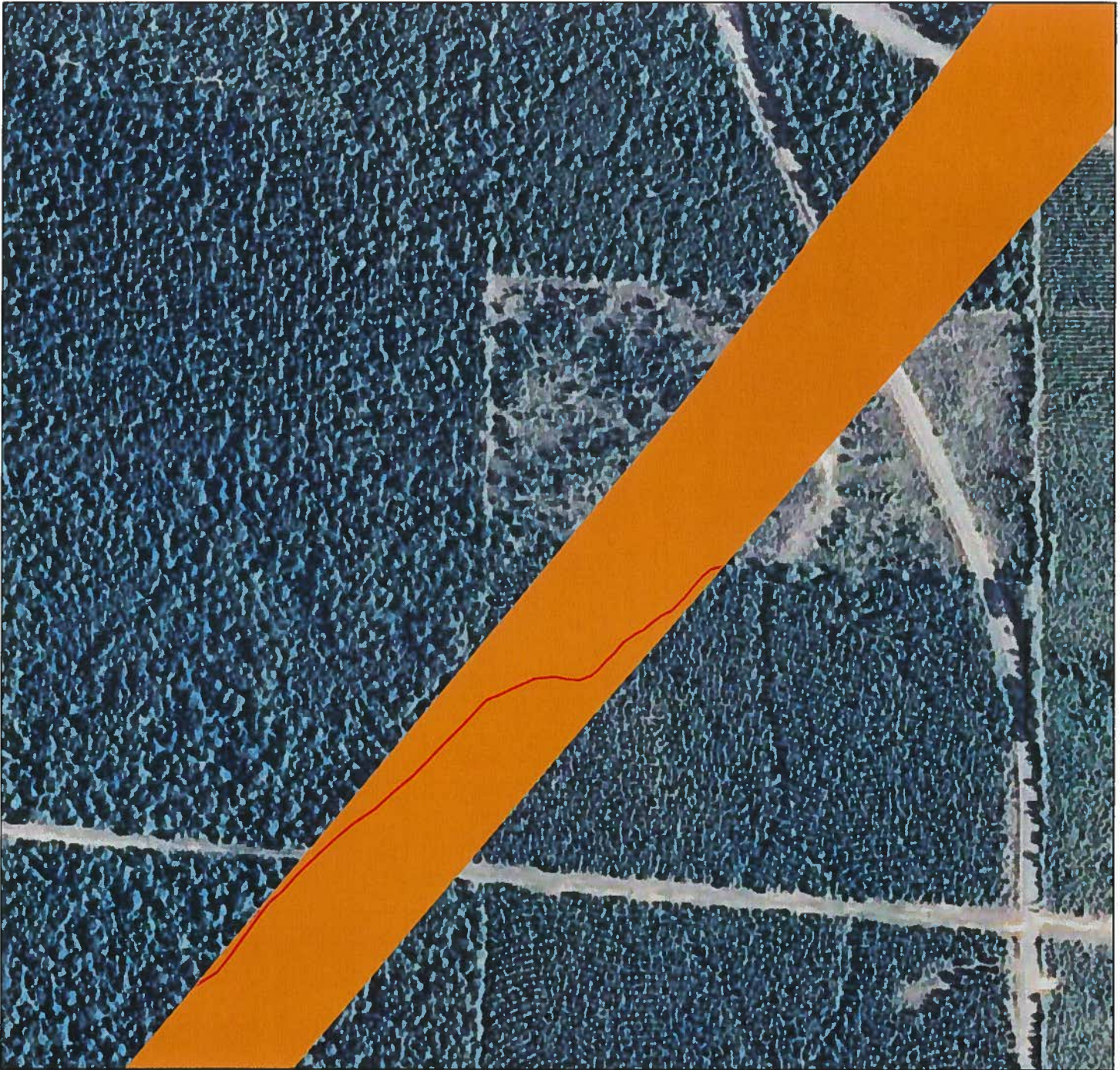
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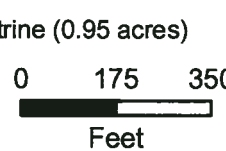
Legend

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-  Jurisdictional, PSS1, Broad-Leaved Deciduous, Scrub-Shrub, Palustrine (0.95 acres)
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-  Jurisdictional, R4, Intermittent, Riverine (36,127.63 linear feet)
-  Jurisdictional, R6, Ephemeral, Riverine (30,142.37 linear feet)
-  Non-jurisdictional, U, Uplands (3,321.78 acres)

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






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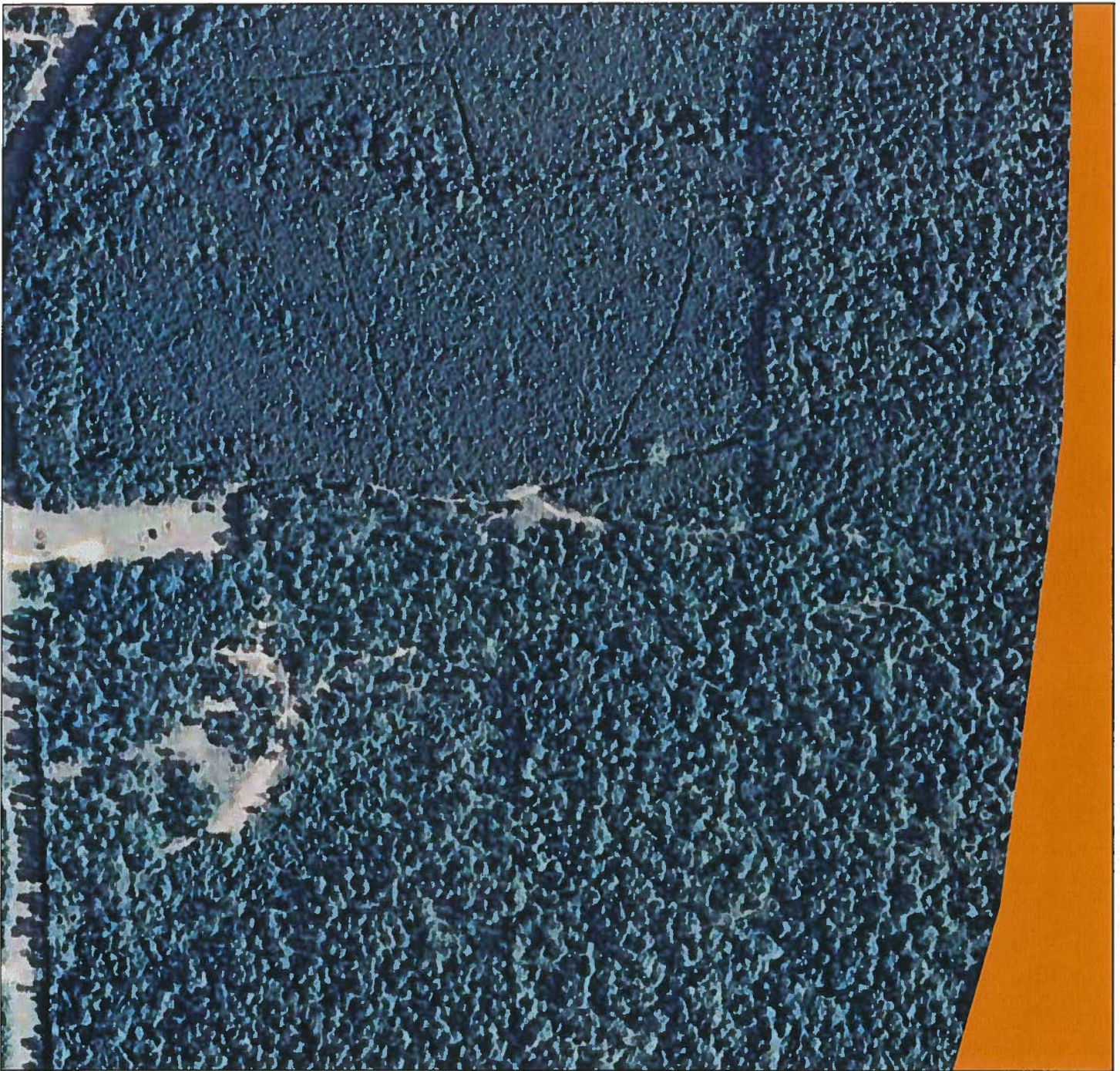
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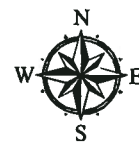
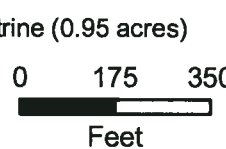
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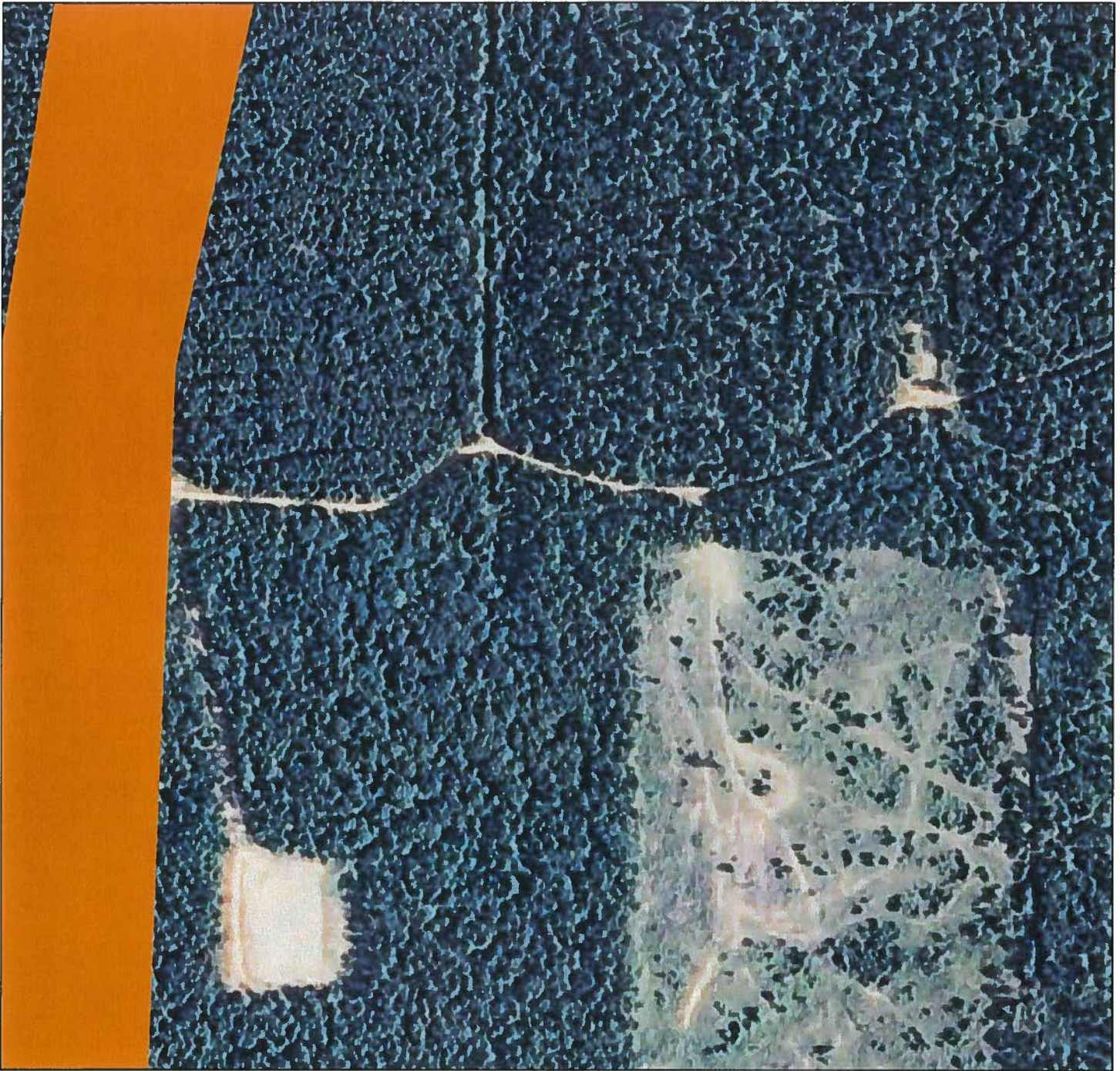
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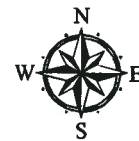
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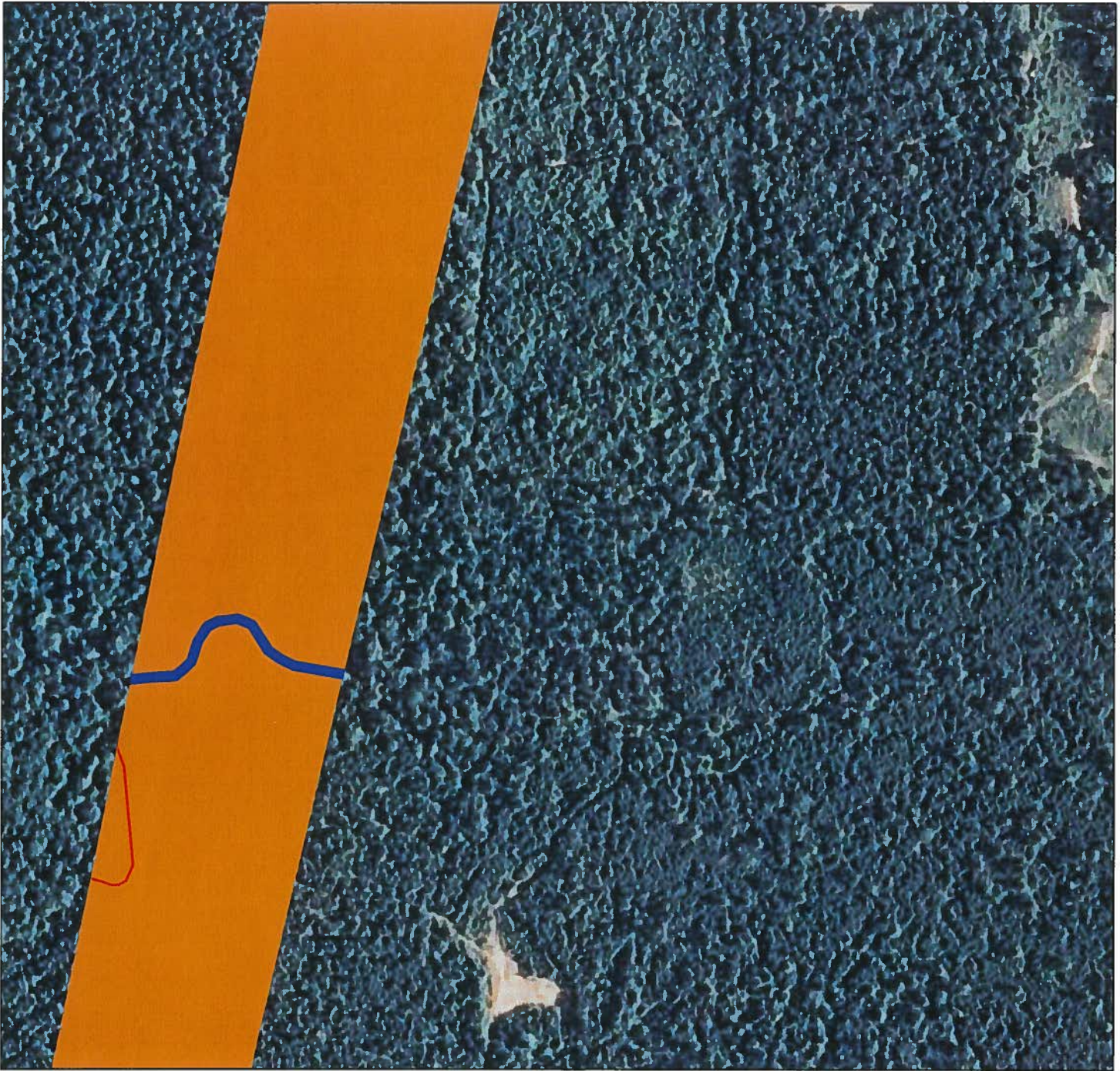
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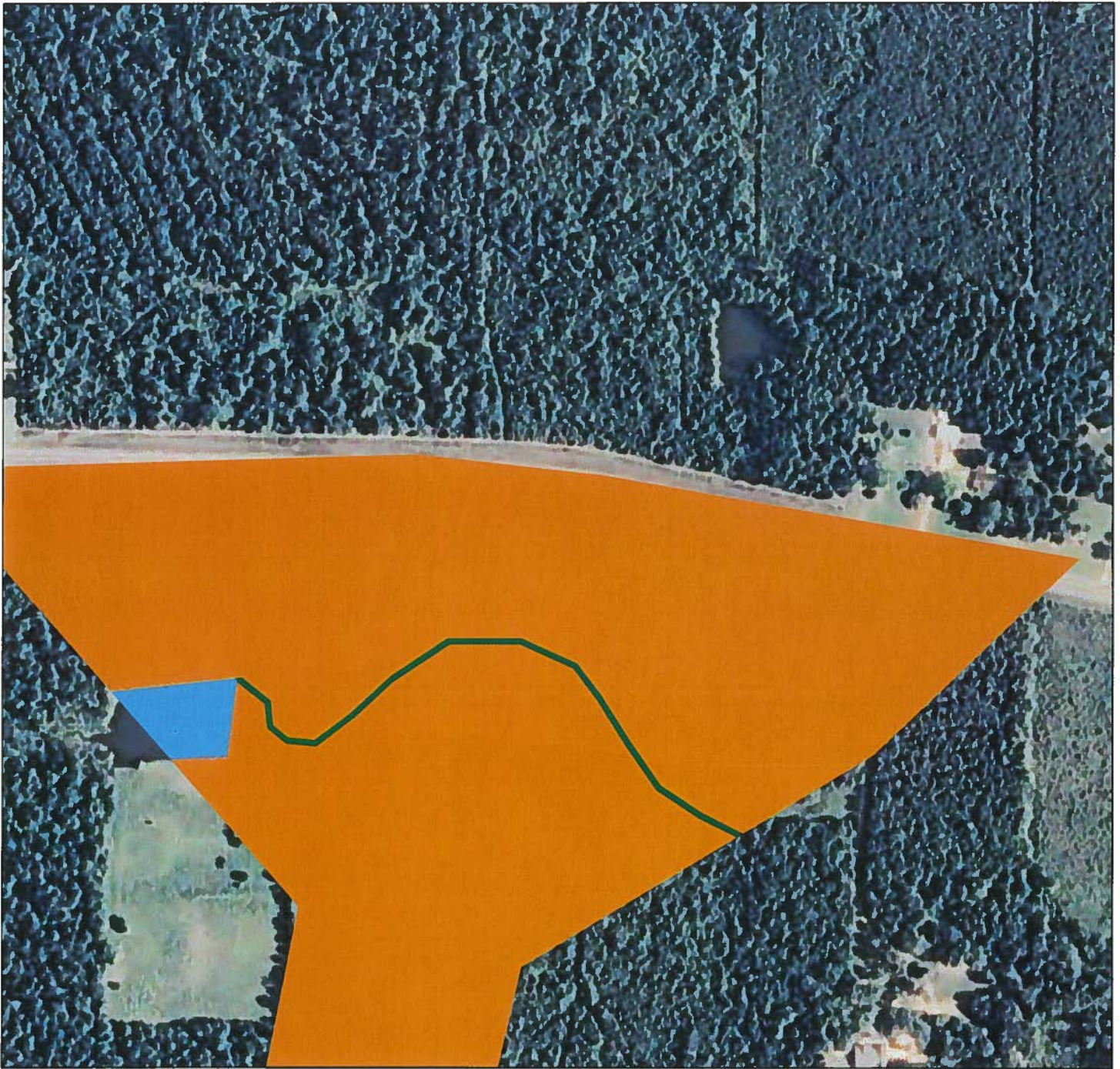
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